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April 1992
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**MEETING AGENDA
ENVIRONMENTAL PROTECTION COMMISSION
WALLACE STATE OFFICE BUILDING
DES MOINES, IOWA
April 20, 1992**

Meeting convenes at 10:00 a.m., Monday, April 20, in the fourth floor conference room.

Public Participation

10:30 a.m.

APPOINTMENTS:

~~Harris Seidel~~
Clifford Yentes (Item #13-A)

~~11:00 a.m.~~
11:30 a.m.

1. Approve Agenda.
2. Approve Minutes of March 16, 1992.
3. Director's Report. (Wilson) Information.
4. Financial Status Report. (Kuhn) Information.
5. Toxic Cleanup Days Contract Approval. (Kuhn) Decision.
6. Approval of Section 319 Contract Agreements. (Kuhn) Decision.
7. Landfill Alternative Grant Contracts Approval. (Hay) Decision.
8. Monthly Reports. (Stokes) Information.
9. Notice of Intended Action--Chapter 61, Water Quality Standards: Stream Use Designation - Phase IV. (Stokes) Decision.
10. Proposed Rule--Chapters 40, 41, 42 and 43, Definitions, Water Supplies, Laboratory Certification and Design and Operation. (Stokes) Information.
11. Review of Underground Storage Tank Site Assessment Orders. (Stokes) Decision.
12. Proposed Rule--Chapter 1, Conflict of Interest Rule. (Wilson) Information.
13. Referrals to the Attorney General. (Stokes) Decision.
 - a) Yentes, Clifford (Pottawattamie County)

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- b) Nollen, Harold (Harlan)**
- c) Iowa City**
- d) Dilts Trucking, Inc. (Crescent)**
- e) R.D. Lofton, DVM (Osage)**

14. General Discussion.

15. Address Items for Next Meeting

NEXT MEETING DATES:

May 18, 1992

June 15, 1992

July 20, 1992

ENVIRONMENTAL PROTECTION COMMISSION

Monday, April 20, 1992

NAME

COMPANY OR AGENCY

CITY

(PLEASE PRINT)

MARK LANDA

Wasker, Sullivan &
Ward

Des Moines

Jane McAllister

Ahlens Law Firm

Des Moines

Russ Helms

IOWA COUNTY ENGRS ASSN.
GREENE CO. ENGR

JEFFERSON

Chuck Becker

Behr Law Firm

Des Moines

Rick Kelley

UHL

DML

Clifford Ayentes

Co Bluffs

John Hoyer

WOI Radio

Ames

Scott Young

Stacy Law Firm

Moscatoine

RECORD COPY EPC Meeting
File Name ADM-1-1-1 April 1992
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MINUTES
OF THE
ENVIRONMENTAL PROTECTION COMMISSION
MEETING

APRIL 20, 1992

WALLACE STATE OFFICE BUILDING
DES MOINES, IOWA

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MEETING MINUTES

CALL TO ORDER

The meeting of the Environmental Protection Commission was called to order by Chairperson Hartsuck at 10:00 a.m. on April 20, 1992, in the Wallace State Office Building, Des Moines, Iowa.

MEMBERS PRESENT

William Ehm
Richard Hartsuck
Rozanne King
Charlotte Mohr
Margaret Prahl
Nancylee Siebenmann
Clark Yeager

MEMBERS ABSENT

Verlon Britt
Gary Priebe

ADOPTION OF AGENDA

The following adjustments were made to the agenda:

- Add: Appointment - Clifford Yentes (Item #13-A) at 11:30 a.m.
- Delete: Appointment - Harris Seidel at 11:00 a.m.

Motion was made by William Ehm to approve the agenda as amended. Seconded by Nancylee Siebenmann. Motion carried unanimously.

ADOPTED AS AMENDED

APPROVAL OF MINUTES

Motion was made by Clark Yeager to approve the meeting minutes of March 16, 1992, as presented. Seconded by William Ehm. Motion carried unanimously.

ADOPTED AS PRESENTED

DIRECTOR'S REPORT

Larry Wilson, Director, displayed products made by Environmental Recycling Company of Massena, using recycled plastic. He noted that some of their items such as park benches and picnic tables will be used in the state parks on a trial basis.

Director Wilson announced a Recycling Conference to be held at the Savery Hotel on Wednesday. The DNR is co-sponsoring this conference with the Department of Economic Development.

Mr. Wilson distributed copies of a booklet entitled "Environmental Regulations and Guidelines for Animal Feeding Operations in Iowa." He noted that this was a coordinated effort between DNR, the Iowa Cattleman's Association and other groups.

FINANCIAL STATUS REPORT

Stan Kuhn, Division Administrator, Administrative Services Division, presented the following item.

The division level Year-to-Date expenditure report, as of March 31, will be forwarded to commissioners as soon as available. Accounting is making adjustments relative to the deappropriation of \$464,500, General fund, in varying amounts by division. Our best estimate, at this point, is that the DNR will be under budget, overall, as compared to the General fund operating appropriations, assuming no salary adjustments.

No decision has been made at this point regarding the State's response to the Supreme Court salary decision. Staff will attempt to provide the latest information on this issue, as it relates to DNR operations, at the April meeting.

(Reports are shown on the following three pages)

Environmental Protection Commission Minutes

April 1992

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IOWA DEPARTMENT OF NATURAL RESOURCES SUMMARY OF EXPENDITURES VS. YEAR-TO-DATE PLAN AS OF 03/31/92

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	TOTAL EXPENDITURES 03/01/92 - 03/31/92	TOTAL EXPENDITURES FY-TO-DATE	YEAR-TO-DATE PLAN	OVER/UNDER YEAR-TO-DATE PLAN	CURRENT ANNUAL BUDGET
1000 DIRECTOR'S OFFICE					
101 PERSONAL SERVICES	27,993.10	149,877.68	125,648.00	24,230.00	167,531.00
202 IN-STATE TRAVEL	1,966.34	15,100.64	27,750.00	12,649.00	37,000.00
205 OUT-STATE TRAVEL	360.00	1,328.00	2,250.00	922.00	3,000.00
301 OFFICE SUPPLIES	19.40	1,269.98	1,500.00	230.00	2,000.00
303 EQUIPMENT MAINTENANCE SUP	86.50	701.93	562.00	140.00	750.00
308 OTHER SUPPLIES	7.47	45.64	900.00	854.00	1,200.00
309 PRINTING & BINDING	684.40	7,935.75	10,500.00	2,564.00	14,000.00
401 COMMUNICATIONS	1,037.37	4,157.07	2,250.00	1,907.00	3,000.00
406 OUTSIDE SERVICES	0.00	1,680.22	1,500.00	180.00	2,000.00
410 DATA PROCESSING	0.00	1,298.37	3,600.00	2,302.00	4,800.00
414 REIMBURSEMENTS TO OTHER A	0.00	139.80	562.00	422.00	750.00
501 EQUIPMENT	0.00	5,262.18	2,905.00	2,357.00	3,874.00
DIVISION TOTAL	32,154.58	188,797.26	179,927.00	8,871.00	239,905.00

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IOWA DEPARTMENT OF NATURAL RESOURCES SUMMARY OF EXPENDITURES VS. YEAR-TO-DATE PLAN AS OF 03/31/92

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	TOTAL EXPENDITURES 03/01/92 - 03/31/92	TOTAL EXPENDITURES FY-TO-DATE	YEAR-TO-DATE PLAN	OVER/UNDER YEAR-TO-DATE PLAN	CURRENT ANNUAL BUDGET
2000 COORDINATION AND INFORMATION					
101 PERSONAL SERVICES	133,524.15	929,207.37	962,333.00	33,126.00	1,283,115.00
202 IN-STATE TRAVEL	1,232.42	9,830.48	16,499.00	6,668.00	22,000.00
203 STATE VEHICLE OPERATION	487.03	4,315.98	6,540.00	2,224.00	8,721.00
204 STATE VEHICLE DEPRECIATIO	655.00	6,395.00	9,345.00	2,950.00	12,460.00
205 OUT-STATE TRAVEL	0.00	2,931.20	6,562.00	3,631.00	8,750.00
301 OFFICE SUPPLIES	22,694.68	82,564.72	76,762.00	5,802.00	102,350.00
302 FACILITY MAINTENANCE SUPP	0.00	3,181.70	3,000.00	181.00	4,000.00
303 EQUIPMENT MAINTENANCE SUP	292.92	1,842.10	2,250.00	407.00	3,000.00
308 OTHER SUPPLIES	3,050.30	31,259.72	48,040.00	16,779.00	64,055.00
309 PRINTING & BINDING	47,867.75	214,099.09	269,694.00	55,595.00	359,593.00
312 UNIFORMS & RELATED ITEMS	7.28	383.12	450.00	67.00	600.00
401 COMMUNICATIONS	2,189.67	21,549.30	21,450.00	99.00	28,600.00
402 RENTALS	175.00	498.46	1,500.00	1,002.00	2,000.00
403 UTILITIES	8.98	126.91	562.00	435.00	750.00
405 PROF & SCIENTIFIC SERVICE	0.00	50.00	5,250.00	5,200.00	7,000.00
406 OUTSIDE SERVICES	3,225.61	24,174.65	44,250.00	20,075.00	59,000.00
410 DATA PROCESSING	0.00	9,855.60	10,087.00	232.00	13,450.00
414 REIMBURSEMENTS TO OTHER A	0.00	3,875.49	3,750.00	125.00	5,000.00
501 EQUIPMENT	4,781.34	7,849.64	8,025.00	175.00	10,700.00
602 OTHER EXPENSES & OBLIGATI	4,589.00	4,589.00	0.00	4,589.00	0.00
DIVISION TOTAL	224,781.13	1,358,579.53	1,496,349.00	137,770.00	1,995,144.00

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IOWA DEPARTMENT OF NATURAL RESOURCES SUMMARY OF EXPENDITURES VS. YEAR-TO-DATE PLAN AS OF 03/31/92

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	TOTAL EXPENDITURES 03/01/92 - 03/31/92	TOTAL EXPENDITURES FY-TO-DATE	YEAR-TO-DATE PLAN	OVER/UNDER YEAR-TO-DATE PLAN	CURRENT ANNUAL BUDGET
3000 ADMINISTRATIVE SERVICES DIV.					
101 PERSONAL SERVICES	412,964.23	2,768,296.76	2,963,602.00	195,305.00	3,951,473.00
202 IN-STATE TRAVEL	3,242.95	38,989.31	42,000.00	3,010.00	56,000.00
203 STATE VEHICLE OPERATION	4,588.46	39,855.64	45,375.00	5,519.00	60,500.00
204 STATE VEHICLE DEPRECIATIO	5,805.00	52,170.00	55,650.00	3,480.00	74,200.00
205 OUT-STATE TRAVEL	0.00	1,664.53	1,350.00	315.00	1,800.00
301 OFFICE SUPPLIES	206.50	228,732.95	253,950.00	25,217.00	338,600.00
302 FACILITY MAINTENANCE SUPP	9,215.26	9,536.46	4,500.00	5,036.00	6,000.00
303 EQUIPMENT MAINTENANCE SUP	5,473.67	32,211.82	39,000.00	6,788.00	52,000.00
308 OTHER SUPPLIES	1,800.95	10,995.49	8,775.00	2,221.00	11,700.00
309 PRINTING & BINDING	4,439.05	9,436.05	15,975.00	6,539.00	21,300.00
312 UNIFORMS & RELATED ITEMS	134.08	2,244.29	2,400.00	156.00	3,200.00
401 COMMUNICATIONS	1,042.25	61,256.82	59,850.00	1,407.00	79,800.00
402 RENTALS	128.25	497.50	375.00	123.00	500.00
406 OUTSIDE SERVICES	1,466.62	22,582.74	38,925.00	16,342.00	51,900.00
408 ADVERTISING & PUBLICITY	0.00	101.50	375.00	274.00	500.00
410 DATA PROCESSING	34,232.81	88,505.23	79,875.00	8,629.00	106,500.00
412 AUDITOR OF STATE REIMBURS	0.00	58,020.06	63,750.00	5,730.00	85,000.00
414 REIMBURSEMENTS TO OTHER A	0.00	23,854.53	31,875.00	8,021.00	42,500.00
501 EQUIPMENT	6,290.34	31,687.71	133,348.00	101,661.00	177,798.00
602 OTHER EXPENSES & OBLIGATI	10,599.00	10,599.00	0.00	10,599.00	0.00
701 LICENSES	0.00	100.00	37.00	63.00	50.00
DIVISION TOTAL	499,544.92	3,491,338.39	3,840,987.00	349,649.00	5,121,321.00

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IOWA DEPARTMENT OF NATURAL RESOURCES
SUMMARY OF EXPENDITURES VS. YEAR-TO-DATE PLAN
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	TOTAL EXPENDITURES 03/01/92 - 03/31/92	TOTAL EXPENDITURES FY-TO-DATE	YEAR-TO-DATE PLAN	OVER/UNDER YEAR-TO-DATE PLAN	CURRENT ANNUAL BUDGET
4000 PARKS, PRES. & RECREATION DIV.					
101 PERSONAL SERVICES	490,300.54	3,908,200.74	4,179,994.00	271,793.00-	5,573,330.00
202 IN-STATE TRAVEL	3,810.22	45,871.48	63,447.00	17,574.00-	84,599.00
203 STATE VEHICLE OPERATION	11,341.48	144,193.47	144,373.00	179.00-	192,500.00
204 STATE VEHICLE DEPRECIATIO	24,395.00	216,375.00	174,521.00	41,854.00-	232,697.00
205 OUT-STATE TRAVEL	0.00	2,440.83	3,310.00	869.00-	4,415.00
301 OFFICE SUPPLIES	1,865.11	22,953.37	35,962.00	13,009.00-	47,950.00
302 FACILITY MAINTENANCE SUPP	35,538.65	326,906.41	316,053.00	10,853.00-	421,404.00
303 EQUIPMENT MAINTENANCE SUP	22,845.56	205,447.79	216,936.00	11,488.00-	289,250.00
307 AG., CONSERVATION & HORT S	1,727.60	5,263.92	16,125.00	10,861.00-	21,500.00
308 OTHER SUPPLIES	1,040.25	21,713.61	29,020.00	7,308.00-	38,694.00
309 PRINTING & BINDING	173.70	8,732.64	22,875.00	14,142.00-	30,500.00
312 UNIFORMS & RELATED ITEMS	1,082.67	36,495.18	39,507.00	3,013.00-	52,679.00
401 COMMUNICATIONS	7,071.70	63,814.52	74,251.00	10,437.00-	99,002.00
402 RENTALS	860.00	17,318.54	21,262.00	3,944.00-	28,350.00
403 UTILITIES	27,425.81	302,587.75	283,837.00	18,751.00	378,451.00
405 PROF & SCIENTIFIC SERVICE	10,991.49	33,401.79	63,791.00	30,389.00-	85,055.00
406 OUTSIDE SERVICES	3,942.04	119,723.24	159,750.00	40,028.00-	213,000.00
408 ADVERTISING & PUBLICITY	14.90	751.94	1,537.00	785.00-	2,050.00
410 DATA PROCESSING	0.00	3,073.38	7,500.00	4,427.00-	10,000.00
414 REIMBURSEMENTS TO OTHER A	0.00	16,329.05	4,125.00	12,204.00	5,500.00
501 EQUIPMENT	10,217.14	73,375.34	98,250.00	24,874.00-	131,000.00
602 OTHER EXPENSES & OBLIGATI	40,346.00	45,610.36	2,025.00	43,585.00-	2,700.00
701 LICENSES	45.00	65.00	1,123.00	1,058.00-	1,498.00
DIVISION TOTAL	695,034.86	5,620,645.35	5,959,574.00	338,931.00-	7,946,124.00

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SUMMARY OF EXPENDITURES VS. YEAR-TO-DATE PLAN
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	TOTAL EXPENDITURES 03/01/92 - 03/31/92	TOTAL EXPENDITURES FY-TO-DATE	YEAR-TO-DATE PLAN	OVER/UNDER YEAR-TO-DATE PLAN	CURRENT ANNUAL BUDGET
5000 FORESTRY DIVISION					
101 PERSONAL SERVICES	182,544.08	1,258,810.47	1,471,627.00	212,816.00-	1,962,174.00
202 IN-STATE TRAVEL	2,264.46	24,491.88	38,204.00	13,714.00-	50,939.00
203 STATE VEHICLE OPERATION	5,074.75	58,698.21	56,250.00	2,448.00-	75,000.00
204 STATE VEHICLE DEPRECIATIO	11,035.00	95,405.00	82,185.00	13,220.00-	109,580.00
205 OUT-STATE TRAVEL	88.23	1,546.59	2,250.00	704.00-	3,000.00
301 OFFICE SUPPLIES	2,035.94	14,753.05	15,675.00	922.00-	20,900.00
302 FACILITY MAINTENANCE SUPP	3,086.72	33,495.60	28,875.00	4,621.00-	38,500.00
303 EQUIPMENT MAINTENANCE SUP	9,089.33	37,752.98	43,575.00	5,822.00-	58,100.00
307 AG., CONSERVATION & HORT S	112.00	127,372.61	66,917.00	60,456.00-	89,223.00
308 OTHER SUPPLIES	18,146.75	28,079.04	37,125.00	9,046.00-	49,500.00
309 PRINTING & BINDING	1,092.90	5,694.75	12,300.00	6,605.00-	16,400.00
312 UNIFORMS & RELATED ITEMS	48.01	9,266.07	12,073.00	2,807.00-	16,100.00
401 COMMUNICATIONS	3,238.80	25,112.50	26,100.00	989.00-	34,800.00
402 RENTALS	70.00	14,329.82	22,500.00	8,171.00-	30,000.00
403 UTILITIES	2,785.04	21,573.41	24,375.00	2,803.00-	32,500.00
405 PROF & SCIENTIFIC SERVICE	1,646.40	2,984.65	57,000.00	54,015.00-	76,000.00
406 OUTSIDE SERVICES	5,107.66	25,540.23	30,375.00	4,834.00-	40,500.00
408 ADVERTISING & PUBLICITY	0.00	1,704.82	675.00	1,030.00-	900.00
410 DATA PROCESSING	0.00	1,660.54	825.00	835.00-	1,100.00
501 EQUIPMENT	15,714.29	73,926.90	114,032.00	40,105.00-	152,043.00
602 OTHER EXPENSES & OBLIGATI	8,381.00	8,381.00	0.00	8,381.00	0.00
DIVISION TOTAL	271,561.36	1,870,580.12	2,142,938.00	272,362.00-	2,857,259.00

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IOWA DEPARTMENT OF NATURAL RESOURCES
SUMMARY OF EXPENDITURES VS. YEAR-TO-DATE PLAN
AS OF 03/31/92

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	TOTAL EXPENDITURES 03/01/92 - 03/31/92	TOTAL EXPENDITURES FY-TO-DATE	YEAR-TO-DATE PLAN	OVER/UNDER YEAR-TO-DATE PLAN	CURRENT ANNUAL BUDGET
6000 ENERGY & GEOLOGICAL RESOURCES					
101 PERSONAL SERVICES	246,317.65	1,678,607.42	1,825,869.00	147,261.00-	2,434,505.00
202 IN-STATE TRAVEL	2,847.87	19,903.83	38,139.00	18,236.00-	50,854.00
203 STATE VEHICLE OPERATION	2,193.18	16,918.69	19,500.00	2,581.00-	26,000.00
204 STATE VEHICLE DEPRECIATIO	2,445.00	22,005.00	22,275.00	270.00-	29,700.00
205 OUT-STATE TRAVEL	2,098.40	8,353.69	11,887.00	3,532.00-	15,850.00
301 OFFICE SUPPLIES	3,587.85	12,714.17	11,718.00	997.00-	15,629.00
302 FACILITY MAINTENANCE SUPP	20.20	107.50	1,012.00	904.00-	1,350.00
303 EQUIPMENT MAINTENANCE SUP	521.34	8,985.06	13,874.00	4,889.00-	18,500.00
304 PROF. & SCIENTIFIC SUPPL	70.57	14,548.11	20,250.00	5,702.00-	27,000.00
308 OTHER SUPPLIES	1,709.94	27,271.51	29,894.00	2,624.00-	39,861.00
309 PRINTING & BINDING	6,493.49	13,519.43	31,232.00	17,714.00-	41,645.00
401 COMMUNICATIONS	3,994.88	24,214.70	25,694.00	1,479.00-	34,260.00
402 RENTALS	175.00	1,810.00	1,800.00	10.00-	2,400.00
403 UTILITIES	1,378.53	7,827.99	9,880.00	2,052.00-	13,175.00
405 PROF & SCIENTIFIC SERVICE	12,607.59	476,408.85	611,714.00	135,306.00-	815,620.00
406 OUTSIDE SERVICES	12,749.77	44,238.59	20,104.00	24,134.00-	26,810.00
408 ADVERTISING & PUBLICITY	0.00	198.85	0.00	199.00-	0.00
410 DATA PROCESSING	0.00	10,941.41	13,950.00	3,011.00-	18,600.00
414 REIMBURSEMENTS TO OTHER A	0.00	2,116.55	4,807.00	2,688.00-	6,415.00
501 EQUIPMENT	141.54	48,839.68	113,715.00	64,876.00-	151,623.00
602 OTHER EXPENSES & OBLIGATI	16,236.00	16,236.00	0.00	16,236.00	0.00
DIVISION TOTAL	315,388.80	2,455,767.03	2,827,314.00	371,549.00-	3,769,797.00

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IOWA DEPARTMENT OF NATURAL RESOURCES
SUMMARY OF EXPENDITURES VS. YEAR-TO-DATE PLAN
AS OF 03/31/92

	TOTAL EXPENDITURES 03/01/92 - 03/31/92	TOTAL EXPENDITURES FY-TO-DATE	YEAR-TO-DATE PLAN	OVER/UNDER YEAR-TO-DATE PLAN	CURRENT ANNUAL BUDGET
7000 ENVIRONMENTAL PROTECTION DIV.					
101 PERSONAL SERVICES	732,876.85	4,760,824.55	5,152,597.00	391,771.00-	6,870,143.00
202 IN-STATE TRAVEL	4,805.17	43,890.03	90,036.00	46,146.00-	120,050.00
203 STATE VEHICLE OPERATION	2,714.12	28,766.46	46,650.00	17,884.00-	62,200.00
204 STATE VEHICLE DEPRECIATIO	5,105.00	43,780.00	49,500.00	5,720.00-	66,000.00
205 OUT-STATE TRAVEL	3,859.88	24,610.62	23,999.00	611.00	32,000.00
301 OFFICE SUPPLIES	7,404.67	40,219.61	40,911.00	691.00-	54,550.00
302 FACILITY MAINTENANCE SUPP	62.61	728.93	1,875.00	1,146.00-	2,500.00
303 EQUIPMENT MAINTENANCE SUP	861.58	5,708.57	8,250.00	2,542.00-	11,000.00
304 PROF. & SCIENTIFIC SUPPL	0.00	35.12	750.00	715.00-	1,000.00
308 OTHER SUPPLIES	1,017.53	16,243.96	16,837.00	593.00-	22,450.00
309 PRINTING & BINDING	4,426.85	22,209.50	32,700.00	10,490.00-	43,600.00
312 UNIFORMS & RELATED ITEMS	0.00	669.32	3,000.00	2,330.00-	4,000.00
401 COMMUNICATIONS	10,626.44	81,242.15	83,025.00	1,782.00-	110,700.00
402 RENTALS	5,613.96	37,733.08	41,400.00	3,667.00-	55,200.00
403 UTILITIES	1,625.94	12,295.68	11,325.00	971.00	15,100.00
405 PROF & SCIENTIFIC SERVICE	139,388.84	654,793.49	1,007,674.00	352,880.00-	1,343,568.00
406 OUTSIDE SERVICES	4,247.80	22,651.12	32,602.00	9,951.00-	43,470.00
408 ADVERTISING & PUBLICITY	423.45	3,519.24	8,550.00	5,031.00-	11,400.00
410 DATA PROCESSING	0.00	91,951.38	102,105.00	10,156.00-	136,140.00
414 REIMBURSEMENTS TO OTHER A	0.00	13,565.14	20,174.00	6,607.00-	26,900.00
501 EQUIPMENT	10,271.36	149,799.50	366,370.00	216,571.00-	488,496.00
602 OTHER EXPENSES & OBLIGATI	25,074.00	25,074.00	75.00	24,999.00	100.00
DIVISION TOTAL	960,406.05	6,080,311.45	7,140,405.00	1,060,092.00-	9,520,567.00

J080C103

IOWA DEPARTMENT OF NATURAL RESOURCES
SUMMARY OF EXPENDITURES VS. YEAR-TO-DATE PLAN
AS OF 03/31/92

	TOTAL EXPENDITURES 03/01/92 - 03/31/92	TOTAL EXPENDITURES FY-TO-DATE	YEAR-TO-DATE PLAN	OVER/UNDER YEAR-TO-DATE PLAN	CURRENT ANNUAL BUDGET
8000 FISH AND WILDLIFE DIVISION					
101 PERSONAL SERVICES	1,233,810.08	8,286,926.18	8,387,722.00	100,794.00-	11,183,655.00
202 IN-STATE TRAVEL	24,517.40	219,191.33	233,751.00	14,561.00-	311,671.00
203 STATE VEHICLE OPERATION	40,397.42	386,199.45	343,467.00	42,731.00-	457,959.00
204 STATE VEHICLE DEPRECIATIO	58,740.00	518,315.00	534,945.00	16,630.00-	713,260.00
205 OUT-STATE TRAVEL	3,809.96	10,356.81	21,000.00	10,643.00-	28,000.00
301 OFFICE SUPPLIES	49,592.17	230,133.61	141,087.00	89,046.00-	188,120.00
302 FACILITY MAINTENANCE SUPP	24,000.41	153,775.62	248,356.00	94,581.00-	331,144.00
303 EQUIPMENT MAINTENANCE SUP	21,185.45	249,226.26	262,238.00	13,017.00-	349,652.00
307 AG., CONSERVATION & HORT S	16,236.44	162,972.30	240,430.00	77,455.00-	320,577.00
308 OTHER SUPPLIES	19,638.10	80,416.51	63,041.00	17,375.00-	84,058.00
309 PRINTING & BINDING	3,452.30	52,806.97	113,081.00	60,276.00-	150,776.00
312 UNIFORMS & RELATED ITEMS	1,133.28	106,176.04	91,360.00	14,817.00-	121,821.00
401 COMMUNICATIONS	19,482.94	148,505.31	128,888.00	19,619.00-	171,854.00
402 RENTALS	2,256.49	28,936.60	34,866.00	5,930.00-	46,492.00
403 UTILITIES	21,370.99	148,916.63	162,765.00	13,851.00-	217,020.00
405 PROF & SCIENTIFIC SERVICE	6,575.00	79,390.06	104,141.00	24,751.00-	138,855.00
406 OUTSIDE SERVICES	14,077.27	92,292.65	77,495.00	14,798.00-	103,330.00
408 ADVERTISING & PUBLICITY	631.27	2,119.69	1,912.00	208.00	2,550.00
410 DATA PROCESSING	0.00	37,995.69	33,075.00	4,921.00	44,100.00
414 REIMBURSEMENTS TO OTHER A	0.00	86,688.87	104,587.00	17,897.00-	139,450.00
501 EQUIPMENT	21,328.53	123,507.78	217,624.00	94,116.00-	290,171.00
602 OTHER EXPENSES & OBLIGATI	48.00	198.00	600.00	402.00-	800.00
701 LICENSES	15.00	50.00	225.00	175.00-	300.00
DIVISION TOTAL	1,582,298.50	11,205,097.36	11,546,656.00	341,564.00-	15,395,615.00

J080C103

IOWA DEPARTMENT OF NATURAL RESOURCES
SUMMARY OF EXPENDITURES VS. YEAR-TO-DATE PLAN
AS OF 03/31/92

	TOTAL EXPENDITURES 03/01/92 - 03/31/92	TOTAL EXPENDITURES FY-TO-DATE	YEAR-TO-DATE PLAN	OVER/UNDER YEAR-TO-DATE PLAN	CURRENT ANNUAL BUDGET
9000 WASTE MANAGEMENT AUTHORITY					
101 PERSONAL SERVICES	50,198.90	304,416.91	405,976.00	101,559.00-	541,305.00
202 IN-STATE TRAVEL	2,174.61	20,552.44	21,345.00	792.00-	28,460.00
205 OUT-STATE TRAVEL	0.00	3,581.10	10,875.00	7,293.00-	14,500.00
301 OFFICE SUPPLIES	445.54	2,490.71	13,522.00	11,032.00-	18,030.00
303 EQUIPMENT MAINTENANCE SUP	0.00	1,252.58	187.00	1,066.00	250.00
308 OTHER SUPPLIES	6,187.24	7,275.33	6,225.00	1,050.00	8,300.00
309 PRINTING & BINDING	570.20	13,445.00	60,714.00	47,269.00-	80,953.00
401 COMMUNICATIONS	1,119.64	7,207.03	18,974.00	11,766.00-	25,300.00
405 PROF & SCIENTIFIC SERVICE	6,207.40	77,372.60	74,523.00	2,850.00	99,365.00
406 OUTSIDE SERVICES	47.50	1,132.41	4,312.00	3,180.00-	5,750.00
410 DATA PROCESSING	0.00	3,921.33	3,975.00	54.00-	5,300.00
414 REIMBURSEMENTS TO OTHER A	0.00	5,731.70	13,087.00	7,355.00-	17,450.00
501 EQUIPMENT	2,598.76	19,861.12	18,806.00	1,055.00	25,075.00
602 OTHER EXPENSES & OBLIGATI	4,518.00	4,518.00	0.00	4,518.00	0.00
DIVISION TOTAL	74,067.79	472,758.26	652,521.00	179,761.00-	870,038.00

Mr. Kuhn reported that the financial status has changed dramatically in the past two weeks. He related that there has been a total of \$904,000 (approximately 8%) cut from what was originally appropriated to the agency last year. He noted that since the department has been holding a lot of vacancies they will make it this year, but the budget will be very tight.

Brief discussion followed.

INFORMATIONAL ONLY

TOXIC CLEANUP DAYS CONTRACT APPROVAL

Stan Kuhn, Division Administrator, Administrative Services Division, presented the following item.

At the March 1992 meeting, the Commission authorized the Director to enter into a contract with Laidlaw Environmental Services to handle the scheduled spring Toxic Waste Cleanup events. Briefly, thirty-three firms were requested to submit proposals based on a hypothetical event. Three firms submitted proposals. Laidlaw presented the lowest cost acceptable proposal. Actual costs at each event are based on cost factors included in the contract, and a "cap" relating to funding share between the local sponsor and the DNR is negotiated for each event.

Upon further review, the staff recommends that the contract be amended to include fall Toxic Waste Cleanup events at a total cost not to exceed \$300,000. The individual cost factors for each event would remain as in the current contract. The commission is requested to authorize the Director to execute this amendment.

Mr. Kuhn explained that the department could move ahead more quickly with the fall cleanup events if there was assurance of a contractor being available and not having to go through another competitive exercise.

<i>Motion was made by Nancylee Siebenmann to approve a contract amendment with Laidlaw Environmental Services for inclusion of the fall Toxic Clean Days not to exceed \$300,000. Seconded by Rozanne King. Motion carried unanimously.</i>

APPROVED CONTRACT AMENDMENT WITH LAIDLAW

APPROVAL OF SECTION 319 CONTRACT AGREEMENTS

Stan Kuhn, Division Administrator, Administrative Services Division, presented the following item.

Commission approval is requested for a contract with the University of Iowa Department of Civil and Environmental Engineering to continue Section 319 funding for the project "Poplar Tree Buffer Strips Grown in Riparian Zones for Nonpoint Pollution Control and Biomass Production". Section 319 Funds are being used to support the monitoring and evaluation component of this project which is demonstrating that tree and grass buffer strips along creeks can serve as a productive "crop" while protecting the stream corridor. Continuing project activities include: monitoring the established poplar tree and grasses buffer strip along a stream adjacent to cropland on the Amana Society Farm (1993 Farm Progress Show site); measure buffer strip influence on nitrate and sediment concentrations in runoff and shallow ground-waters; demonstrate effectiveness of tree and grass buffer strips for intercepting agricultural contaminants, stabilizing streambanks, providing wildlife habitat, and improving in-stream habitat conditions. The contract will provide \$31,000 for the calendar year 1992 activities of the project.

A copy of the contract agreement is on file in the department's Records Center.

Mr. Kuhn explained the request for continued funding of the Section 319 contract.

Motion was made by Margaret Prah! to approve a contract with the University of Iowa to continue Section 319 funding of the Poplar Tree Buffer Strips project at a cost of \$31,000. Seconded by Nancylee Siebenmann. Motion carried unanimously.

APPROVED AS PRESENTED

LANDFILL ALTERNATIVES GRANT CONTRACT APPROVALS

Teresa Hay, Division Administrator, Waste Management Division, presented the following item.

Eighteen grant applications were selected for funding from the round of applications submitted the first Monday in December, 1991. Four of the grants are awards of less than \$25,000. Seven of the contracts were presented to the Commission for approval in March. At this time, the Commission is requested to approve the remaining seven contracts, as follow:

1) Blueberry Plastic Mill Corp.

\$100,000

To manufacture secondary resin pellets from post-consumer recycled plastics from Des Moines. The secondary resin pellets will be sold to Iowa plastic manufacturers to be used in the place of virgin resin.

2) Buena Vista Work Activity Center \$136,150

For construction and equipment to expand its current recycling program. Will include dropoff and collection systems, public education, expansion of recycling current materials, and addition of cardboard recycling. The project will serve Buena Vista County and portions of Ida, Pocahontas, Calhoun, and Cherokee counties.

3) Johnson County Recycling Center \$64,536

To establish a recycling facility in Johnson County for glass, plastic, metal, and paper. Facility will serve Johnson, Iowa, and Jones counties.

4) Monona County Landfill Agency \$78,300

To construct and equip a county-wide recycling facility, to develop a multi-material collection system, and to procure shredding and baling equipment for processing paper for animal bedding in Monona County.

5) Mar-Rob Enterprises \$106,906

For building and equipment to expand the business of manufacturing corn husking rollers from waste tires. Mar-Rob is located in Webster County.

6) Ida County \$88,448

To build and equip a recycling facility and curbside collection for Ida County.

7) City of Grinnell \$71,000

To purchase equipment to enable expansion and greater efficiency of the Community Recycling Center. The center will process recyclables from Grinnell and will be available to other communities in Poweshiek County.

A copy of the Scope of Work and budget for each contract is on file in the department's Records Center.

Ms. Hay briefly explained the contracts.

Discussion followed regarding grant money going towards salary expenses.

Margaret Prahl asked if the department files a security interest in the equipment.

Ms. Hay responded that that has not been a practice in the past but it is one of the contract revisions being discussed with the Legal Bureau.

Commissioner Prah! stated that the department should have a security interest on these contracts because if the project fails it would be difficult to get the equipment money returned. She asked if the department could do that for these seven contracts.

Ms. Hay replied that she will check to see if it can be done.

Motion was made by Margaret Prah! to approve the seven Landfill Alternative Grant Contracts with the addition that a security interest and agreement be entered into with the contracting agencies giving the state legal right to the equipment in the event of failure. Seconded by Nancylee Siebenmann. Motion carried unanimously.

APPROVED AS AMENDED

PUBLIC PARTICIPATION

Phil Mercuris

Phil Mercuris, Master Builders of Iowa, addressed the Commission stating that he is Safety Director for Master Builders and there is some concern with the proposed rules for storm water discharge permits. He related that the time frame of 30 days before construction is to commence can be a problem because when a contractor bids a job they sometimes do not know they have the job until five to ten days prior to when the work should start. Normally, a contractor will bid a job from the specifications and if they would know, from the contract specifications, what would have to be done as far as soil erosion, monitoring, and testing required by DNR it would be helpful. If that could be put into owner or developer language, as opposed to general contractor, then the construction industry could work with it. If the contractor does not see these requirements in the specifications, and they see it later on, it will throw the construction into a slow down situation. He related that if a contractor gets the contract and has to start work, the contractor will do the work with or without the permits because they cannot afford to slow the job down. He added that he does not want to see the contractors in Iowa be placed in position where they would be breaking the law because they wouldn't have a choice in the matter. Mr. Mercuris stated that he understands DNR will need some kind of verification that the permit is filled out properly. He noted that he talked to DNR staff and they haven't been able to tell him how long it will take to get this verification. He related this could also cause delays in construction as well as costing the construction industry more money with those delays. Mr. Mercuris also expressed concern with a proposed DNR requirement that portable asphalt and ready mix plants need a general permit for each location. He suggested that a

permit be issued that would be good for one year whether or not the plant is moved to various locations.

Discussion followed regarding the issues brought up by Mr. Mercuris.

Al Stokes reminded that Commission that the storm water discharge rules were brought before them two months ago and they approved the Notice of Intended Action at that time. The rules subsequently went out to public hearing and will be back before the Commission for a final decision sometime in the future. He noted that the federal government is making changes and depending on what they do, it may be later than May before the rules are back before the Commission.

MONTHLY REPORTS

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The following monthly reports are enclosed with the agenda for the Commission's information.

1. Rulemaking Status Report
2. Variance Report
3. Hazardous Substance/Emergency Response Report
4. Enforcement Status Report
5. Contested Case Status Report

Members of the department will be present to expand upon these reports and answer questions.

(Reports are shown on the following 17 pages)

Environmental Protection Commission Minutes

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IOWA DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
RULEMAKING STATUS REPORT
April 1, 1992

PROPOSAL	NOTICE TO COMMISSION	NOTICE PUBLISHED	RULES REVIEW COMMITTEE	HEARING	SUMMARY OF COMMENTS & RECOMMENDATIONS TO COMMISSION	RULES ADOPTED	RULES PUBLISHED	RULE EFFECTIVE
1. Ch. 1 - Conflict of Interest	*5/18/92	*6/10/92	*7/ /92	*7/ /92	*8/17/92	*8/17/92	*9/16/9	*10/21/92
2. Ch. 40, 41, 42, 43-Definitions, Water Supplies-Lab Certification/Design and Operation	*5/18/92	*6/10/92	*7/ /92	*7/ /92	*8/17/92	*8/17/92	*9/16/92	*10/21/92
3. Ch. 61 - Water Quality Stds. Big Creek - Mt. Pleasant	1/21/91	2/19/92	3/09/92	3/10/92	*5/18/92	*5/18/92	*6/10/92	*7/15/92
4. Ch. 61 - Water Quality Stds.-Phase IV	4/20/92	*5/13/92	*6/ /92	*6/ /92	*7/20/92	*7/20/92	*8/19/92	*9/23/92
5. Ch. 64 - Stormwater Discharge Permits	11/18/91	12/11/91	1/06/92	1/03/92 1/10/92	*5/18/92	*5/18/92	*6/10/92	*7/15/92
6. Ch. 92 - State Revolving Loans for Wastewater Treatment	E M E R G E N C Y				3/16/92	3/16/92	4/15/92	5/20/92
7. Ch. 92 - State Revolving Loans for Wastewater Treatment	3/16/92	4/15/92	*5/ /92	*5/07/92	*6/15/92	*6/15/92	*7/08/92	*8/12/92
8. Ch. 100 & 102 - Permits - Special and Infectious Wastes	1/21/92	2/19/92	3/09/92	*3/18/92	*5/18/92	*5/18/92	*6/10/92	*7/15/92
9. Ch. 101 - Solid Waste - Schedule for Comprehensive Plan	2/17/92	3/18/92	4/06/92	4/08/92	*5/18/92	*5/18/92	*6/10/92	*7/15/92
10. Ch. 136 - New Financial Assurance Compliance Date for UST Owners with 1-12 Tanks	3/16/92	4/15/92	*5/ /92	*5/05/92	*6/15/92	*6/15/92	*7/08/92	*8/12/92
11. Ch. 148 - Registry of Hazardous Waste or Hazardous Substance Disposal Sites	1/21/92	2/19/92	3/09/92	3/18/92	*5/18/92	*5/18/92	*6/10/92	*7/15/92

*Projected

MONTHLY VARIANCE REPORT						
Month: March, 1992						
No.	Facility	Program	Engineer	Subject	Decision	Date
1.	City of Oelwein	Air Quality		Landscape Waste	Denied	03/04/92
2.	City of Jefferson	Wastewater Construction	MHF Engineers	Suction Pump Lift Station Design	Approved	03/11/92
3.	City of Norway	Wastewater Construction	Hart Engineering	Curtain Wall	Approved	03/13/92
4.	City of Ida Grove	Wastewater Construction	Kuehl & Payer, Ltd.	Sewer Grade	Approved	03/26/92
5.	City of Bettendorf	Flood Plain	Beling Consultants	Backwater	Approved	03/02/92
6.	City of Bettendorf	Flood Plain	Beling Consultants	Freeboard	Approved	03/02/92
7.	Upper McDowell Dam - Lee County	Flood Plain	Roland F. Krebill	Storm/Storage Capacity	Approved	03/26/92
8.	Tim Ward Farm - Harrison County	Solid Waste		Storage	Approved	03/03/92
9.	Guttenberg Municipal Hospital	Solid Waste	Durant Engineers	Permit Exemptions	Approved	03/04/92
10.	Blackhawk County Sanitary Landfill	Solid Waste	Brice, Petrides-Donohue Co.	Leachate	Approved	03/07/92
11.	Center for Alcohol & Drug Services - Davenport	Watersupply Construction	Andrew J. Liska	Siting Criteria	Approved	03/25/92
12.	Logan Head Start Center - Logan	Watersupply Construction	Sundquist Engineering	Installation Procedures	Approved	03/30/92

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Environmental Protection Commission Minutes

Report of Hazardous Conditions

During the period March 1, 1992 through March 31, 1992, reports of 79 hazardous conditions were forwarded to the Central Office. Two incidents are highlighted below. A general summary and count by field office is attached. These do not include releases from underground storage tanks, which are reported separately.

Date Reported and County	Description: Material, Amount, Date of Incident, Cause, Location, Impact	Responsible Party	Response and Corrective Actions
03/04/92 Linn	A 150 gallon chlorine tank developed a leak in a valve on March 4, 1992. Chlorine gas was released in the chlorine building for approximately two hours. Approximately 70 gallons of chlorine was released. No injuries were reported.	City of Hiawatha 1410 Robbins Road Hiawatha, Iowa	The Linn County HazMat team responded to the incident. An "A-Kit" valve cover was placed over the leaking valve. A plug clamp was placed on the tank after the A-Kit was removed. The tank was returned to a chemical company for repair.
03/10/92 Linn	A leak was discovered in piping leading to an aboveground storage tank. 3600 pounds of sulfuric acid were released in a secondary concrete containment basin. No impacts the environment were observed.	Genen Cor 1000 41st Avenue Cedar Rapids, Iowa	The material was neutralized and discharged to the city POTW.

NUMBERS IN PARENTHESES REPRESENT REPORTS FOR THE SAME PERIOD IN FISCAL YEAR 1991

Substance Type					Mode					
Month	Total # of Incidents	Petroleum Product	Agri. Chemical	Other Chemicals and Substances	Handling and Storage	Pipeline	Highway Incident	RR Incident	Fire	Other
Oct.	87(112)	52(69)	4(7)	31(36)	42(70)	2(0)	24(25)	2(1)	0(1)	17(15)
Nov.	83(69)	56(36)	3(11)	22(22)	44(35)	1(0)	22(15)	0(4)	1(1)	13(14)
Dec.	81(85)	47(61)	7(14)	27(10)	40(37)	2(1)	28(23)	2(1)	1(1)	8(22)
Jan.	64(56)	40(31)	6(7)	18(18)	33(35)	0(1)	22(9)	1(1)	0(1)	8(9)
Feb.	61(77)	38(43)	6(7)	17(27)	36(47)	0(1)	19(14)	2(2)	0(2)	4(11)
March	79(82)	40(51)	15(10)	24(21)	50(43)	0(3)	14(17)	1(3)	0(0)	14(16)
April										
May										
June										
July										
August										
Sept.										

Total Number Of Incidents Per Field Office This Period:

1	2	3	4	5	6
10	16	7	10	16	20

NUMBER OF LUST CLEANUPS COMPLETED

During the period of March 1, 1992 through March 31, 1992, the following number of LUST cleanups were completed.

1 (473)

The number in parentheses represents the total number of LUST cleanups through March 31, 1992.

Enforcement Report Update

The following new enforcement actions were taken last month:

Name, Location and Field Office Number	Program	Alleged Violation	Action	Date
C-D Farm Service Company, Spencer (3)	Underground Tank	Illegal Deposit	Order/Penalty	3/03/92
Doolittle Oil Company, Webster City (2)	Underground Tank	Illegal Deposit	Order/Penalty	3/03/92
Henry County Landfill Commission; Dean and Joyce Frish, Henry Co. (6)	Solid Waste	Other Violations	Order	3/03/92
Coulter, City of	Solid Waste	Illegal Disposal	Order/Penalty	3/03/92
Humboldt County Sanitary Landfill, Humboldt Co. (2)	Solid Waste	Compliance Schedule	Order/Penalty	3/03/92
Viking Pump, Inc., Black Hawk Co. (2)	Solid Waste	Operation Without Permit; Compliance Schedule	Order	3/03/92
Occidental Chemical Corp., Scott Co. (6)	Solid Waste	Operation Without Permit; Compliance Schedule	Order	3/03/92
David Axmeier, Sigourney (6)	Wastewater	Prohibited Discharge	Order/Penalty	3/03/92
Wayne Transports, Inc., Greene (2)	Wastewater	Prohibited Discharge; Remedial Action	Order/Penalty	3/18/92
The Calmar Manufacturing Co. Inc., Calmar (1)	Air Quality	Construction Without Permit	Amended Order	3/18/92
Mulgrew Oil Company, Dubuque (1)	Hazardous Condition	Prohibited Discharge; Remedial Action	Order/Penalty	3/18/92
Homestead Water Supply, Amana (6)	Drinking Water	Monitoring/Reporting-Radioactivity	Order/Penalty	3/18/92
Lake Panorama Water Co., Panorama (4)	Drinking Water	Monitoring/Reporting-Radioactivity	Order/Penalty	3/18/92
Barrington Lakes Water Commission, Dubuque (1)	Drinking Water	Monitoring/Reporting-Nitrate	Order/Penalty	3/18/92
Lake Park, City of (3)	Wastewater	Discharge Limits	Order	3/18/92
Rocky Nook Resort, Delhi (1)	Drinking Water	Monitoring/Reporting-Bacteria; Public Notice	Order/Penalty	3/18/92
Meyer Mobile Home Park, Denison (4)	Drinking Water	Monitoring/Reporting-Bacteria & Radionuclides; Public Notice	Order/Penalty	3/18/92

Leonard Page d/b/a Kent Store, Kent (4)	Underground Tank	Closure Investigation	Order/Penalty	3/18/92
John M. Staub d/b/a Mr. Convenient, Burlington (6)	Underground Tank	Site Check	Order/Penalty	3/18/92
Charlie Fox d/b/a Charlie's Standard, Hamburg (4)	Underground Tank	Site Check	Order/Penalty	3/18/92
Kris Ehlinger d/b/a K.J.'s Convenience and Deli, LeClaire (1)	Underground Tank	Site Check	Order/Penalty	3/18/92
V.R. Dillingham d/b/a Barb's Service, Everly (3)	Underground Tank	Site Check	Order/Penalty	3/18/92
Farmer's Cooperative Elevator Co., Truro (5)	Wastewater	Prohibited Discharge	Order/Penalty	3/18/92
Shorty's Steakhouse, Des Moines (5)	Drinking Water	Monitoring/Reporting-Bacteria; Public Notice	Order/Penalty	3/18/92
Scenic Valley Motel, Lansing (1)	Drinking Water	MCL - Bacteria	Amended Order	3/18/92
Gil's Ballroom and Tavern, Andover (6)	Drinking Water	Monitoring/Reporting-Nitrate	Order/Penalty	3/18/92
Tandem Oak Park Assoc., Fort Dodge (2)	Drinking Water	Monitoring/Reporting-Bacteria, Inorganics, Organics, Radionuclide	Order/Penalty	3/18/92
Early, City of (3)	Drinking Water	MCL - Nitrate; Public Notice	Order	3/18/92
Swaledale, City of (2)	Drinking Water	MCL - Bacteria; Public Notice	Order/Penalty	3/18/92
Dawson, City of (5)	Drinking Water	MCL - Bacteria; Public Notice	Order/Penalty	3/18/92
Best Western Westfield Inn, Coralville (6)	Drinking Water	MCL - Bacteria; Monitoring/Reporting-Nitrate; Public Notice	Order/Penalty	3/18/92
Bellevue Golf Club, Inc., Bellevue (1)	Drinking Water	Monitoring/Reporting; Bacteria, Nitrate; Public Notice	Order/Penalty	3/25/92
Maquoketa, City of (1)	Wastewater	Discharge Limits	Order	3/25/92
Des Moines County Regional SW Comm., Burlington (6)	Solid Waste	Compliance Schedule	Amended Order	3/25/92
Fort Madison Municipal Water Works (6)	Drinking Water	Monitoring/Reporting-Organics	Order/Penalty	3/25/92
Palco, Inc., Clarion (2)	Air Quality	Construction Without Permit	Order	3/25/92
The Chantland Company, Humboldt (2)	Air Quality	Construction Without Permit	Order	3/25/92
Iowa Mold Tooling Co., Inc., Garner (2)	Air Quality	Construction Without Permit	Order	3/25/92
Signode Tool Operations, DeWitt (6)	Air Quality	Construction Without Permit	Order	3/25/92
Dekalb Plant Genetics, Inc., Beaman (2)	Air Quality	Construction Without Permit	Order	3/25/92
NSK Corporation, Clarinda (4)	Air Quality	Construction Without Permit	Order/Penalty	3/25/92
Community Cooperative Oil Co., Marcus (4)	Underground Tank	Site Check	Order/Penalty	3/25/92
Community Cooperative Oil Co., Remsen (3)	Underground Tank	Site Check	Order/Penalty	3/25/92
Community Cooperative Oil Co., Paullina (4)	Underground Tank	Site Check	Order/Penalty	3/25/92
Charles P. Schafer; Stringtown Properties; Grover Davis, Prescott (4)	Underground Tank	Closure Investigation	Order	3/25/92
Joslin Enterprises, Ltd. d/b/a Tarken's Convenience Store, Anamosa (1)	Underground Tank	Site Check	Order/Penalty	3/25/92
Amoco Oil Co., Clive (5)	Underground Tank	Illegal Deposit	Order/Penalty	3/25/92
Clement Auto and Truck, Inc. Webster City (2)	Underground Tank	Site Check	Order/Penalty	3/25/92
Hidden Valley Mobile Home Park, Wapello Co. (6)	Flood Plain	Operation Contrary to Permit	Order	3/26/92

Summary of Administrative Penalties

The following administrative penalties are due:

NAME/LOCATION	PROGRAM	AMOUNT	DUE DATE
Fremont Golf Course (Fremont)	WS	660	10-21-91
Bankston, City of	WS	200	12-25-91
Paper Recovery Corporation (Sioux City)	UT	500	1-08-92
Dilts Trucking, Inc. (Crescent)	UT	500	1-12-92
Krause Feedlot (Hardin County)	WW	500	1-23-92
George Kall (Scott County)	SW	500	1-23-91
Darrell's Place (Hamlin)	WS	400	1-27-92
R. D. Loftin, DVM (Osage)	UT	300	2-12-92
Lake Mills, City of	WS	400	2-23-92
*Sportsman Lounge (Conesville)	WS	100	2-28-92
*Custom Hardware Manufacturing, Inc. (Keokuk)	AQ	1,000	2-28-92
Neola Light & Water (Neola)	WS	200	3-21-92
Zahrobsky Feedlot (Lucas County)	WW	500	3-30-92
Van's Poultry Farm, Inc. (Johnson County)	WW	500	3-31-92
George Taylor (Onslow)	UT	300	4-05-92
*M & D's Chalet (Elgin)	WS	325	4-12-92
Pallister Pallet Inc. (Louisa County)	AQ	600	4-18-92
*Todd D. Behounek and Paul Behounek (Tama County)	SW	200	4-21-92
Fred Mason d/b/a Mason's Standard Service (Slater)	UT	700	4-27-92
Van Hulzen Oil Company (Oskaloosa)	UT	700	4-27-92
Bernard Gavin Veterinary Clinic (Wellsburg)	UT	600	5-02-92
Humboldt County Sanitary Landfill Commission	SW	1,000	5-06-92
Coulter, City of	SW	300	5-07-92
Doolittle Oil (Webster City)	UT	1,000	5-18-92
Homestead Water Supply (Amana)	WS	675	5-20-92
Mulgrew Oil Company (Dubuque)	HC	500	5-20-92
Dawson, City of	WS	470	5-21-92
V.R. Dillingham d/b/a Barb's Service (Everly)	UT	600	5-21-92
Kris Ehlinger d/b/a K.J.'s Convenience (LeClaire)	UT	600	5-21-92
Charlie Fox d/b/a Charlie's Standard (Hamburg)	UT	600	5-21-92
John Staub d/b/a Mr. Convenient (Burlington)	UT	600	5-21-92
Gil's Ballroom and Tavern (Andover)	WS	200	5-21-92
Lake Panorama Water Company (Panora)	WS	900	5-23-92
Tandem Oak Park Associates (Ft. Dodge)	WS	405	5-23-92
Best Western Westfield Inn (Coralville)	WS	600	5-23-92
C-D Farm Service (Spencer)	UT	1,000	5-23-92
Wayne Transportation, Inc. (Greene)	WW	1,000	5-23-92
Leonard Page d/b/a Kent Store (Kent)	UT	300	5-25-92
Rocky Nook Resort (Delhi)	WS	475	5-26-92
Amoco Oil Co. (Clive)	UT	1,000	5-27-92
Joslin Enterprises, Ltd. (Anamosa)	UT	600	5-28-92
Bellevue Golf Club, Inc. (Bellevue)	WS	380	5-28-92
Clement Auto and Truck, Inc. (Webster City)	UT	500	5-28-92
Swaledale, City of	WS	400	5-28-92
Community Cooperative Oil Co. (Paullina)	UT	600	5-30-92
Community Cooperative Oil Co. (Remsen)	UT	600	5-30-92
*Sleepy Hollow Campground (Oxford)	WW	500	6-01-92
Don Stickle and Sons Farms (Linn County)	WW	750	8-30-92
Charles Kerr (Sloan)	UT	600	-----
Meyer Mobile Home Park (Denison)	WS	345	-----
Farmers Cooperative Elevator Co. (Truro)	WW	700	-----
Shorty's Steakhouse (W. Des Moines)	WS	260	-----
Fort Madison Municipal Water Works	WS	1,000	-----
Community Cooperative Oil Co. (Marcus)	UT	600	-----
NSK Corporation (Clarinda)	AQ	1,000	-----

*On Payment Schedule

The following cases have been referred to the Attorney General:

NAME/LOCATION	PROGRAM	AMOUNT	DUE DATE
OK Lounge (Marion)	WS	448	11-01-87
Richard Davis (Albia)	SW	1,000	2-28-88
Eagle Wrecking Co. (Pottawattamie Co.)	SW	300	5-07-89
*Twelve Mile House (Bernard)	WS	119	5-20-89
*Lawrence Payne (Ottumwa)	SW	425	6-19-89
William L. Bown (Marshalltown)	SW	1,000	10-01-89

Darlo Schaap (Sioux Center)	SW	600	1-14-90
Wellendorf Trust (Algona)	AQ/SW	460	2-12-90
Donald P. Ervin (Ft. Dodge)	SW	669	3-05-90
Amoco Oil Company (Des Moines)	UT	1,000	8-15-90
Gerald G. Pregler (Dubuque Co.)	SW	1,000	9-02-90
Donald R. Null (Clinton Co.)	AQ/SW	1,000	9-06-90
Robert and Sally Shelley (Guthrie Center)	SW	1,000	3-04-91
Fred Varner (Worth County)	SW	950	4-11-91
Buffalo Bill Estates, Inc. MHP (Camanche)	WS	245	5-14-91
Honey Creek Camping Resort (Crescent)	WS	245	6-13-91
Fred R. Thomas/Fred R. Thomas, Jr. d/b/a Clair-View Acres Store (Delhi)	WS	1,000	8-04-91
*M & W Mobile Home Park (Muscatine)	WW	200	8-21-91
Carl A. Burkhart d/b/a American Wrecking Co.	AQ/SW	200	9-15-91
Lloyd Duntton (Iowa County)	SW	300	11-07-91
Buffalo Bill Estates, Inc. (Clinton Co.)	WS	440	11-19-91
Landfill of Des Moines, Inc. (Des Moines)	SW	1,000	1-06-92
Vern Starling (Boone Co.)	SW	800	9-15-91
Capitol Oil Co. d/b/a Dakota MHP (Iowa City)	WW	1,000	11-03-91
John Hosch (Jones County)	WW	1,000	12-24-91
Vincent Martinez d/b/a Martinez Sewer (Davenport)	HC	500	1-01-92
Vernus Wunschel d/b/a Wunschel Oil Co. (Ida Grove)	UT	300	1-12-92
Buffalo Bill Estates, Inc. MHP (Camanche)	WS	500	1-25-92

The following administrative penalties have been appealed:

NAME/LOCATION	PROGRAM	AMOUNT
AMOCO Oil Co. (Des Moines)	UT	1,000
Iowa City Regency MHP	WW	1,000
Great Rivers Coop (Atavia)	HC	1,000
1st Iowa State Bank (Albia)	SW	1,000
Cloyd Poland (Decatur)	FP	800
King's Terrace Mobile Home Court (Ames)	WW	1,000
Amoco Oil Co. (West Des Moines)	UT	1,000
Sioux City, City of	WW	1,000
Des Moines, City of	HC	1,000
Van Dusen Airport Services (Des Moines)	HC	1,000
Maple Crest Motel and MHP (Mason City)	WS	350
Plymouth County Solid Waste Agency	SW	1,000
Chicago & North Western Transportation, et.al.	SW	1,000
Joe Eggers, Jr., et. al. (St. Ansgar)	SW	1,000
McDowell Dam #1 (Lee County)	FP	500
McDowell Dam #2 (Lee County)	FP	500
Camp Riverside (Guthrie County)	FP	500
Molkenthin Swine Operation (Keokuk County)	WW	800
Oskaloosa Food Products Corp. (Oskaloosa)	WW	1,000
Oskaloosa, City of	WW	1,000
Kenneth Bode (Mills Co.)	SW	1,000
Mason City Iron and Metal Co. (Mason City)	AQ	1,000
American Recycling, Inc. (Council Bluffs)	AQ	1,000
Waterloo, City of	WW	1,000
Wally's Paint Shop (Strawberry Point)	AQ	500
Westside Park for Mobile Homes (Lee Co.)	WW	500
Monona Co. SLF/Ronald L. Hanson (Monona Co.)	SW	1,000
Highland Golf Club, Inc. (Iowa Falls)	UT	500
Casey's General Store (Redfield)	UT	1,000
Tower Club (Cresco)	WS	400
Robert Dean (Parkersburg)	SW	500
New Virginia, City of	WS	800
Wiota, City of	WS	500
Ames, City of	SW	1,000
Hickory Hollow Water Co. (Ankeny)	WS	400
Dell Oil Ltd. (Sioux City)	HC	1,000
West Liberty Oil Co. (West Liberty)	UT	1,000
Koehring Cranes & Excavators, Inc. (Waverly)	AQ	1,000
Calhoun Co. Sanitary Landfill (Calhoun Co.)	SW	1,000
Village Creek Bible Council (Lansing)	WS	500
Dietrick Mobile Home Park, Inc. (Grundy Co.)	WW	1,000
Farmland Foods, Inc. (Carroll)	WW	1,000
Fieldstone Cabinetry, Inc. (Northwood)	AQ	1,000

Eagle Window & Door, Inc. (Dubuque)	AQ	1,000
Nordstrom Oil Company (Cedar Rapids)	HC	1,000
Mark and Craig Erpelding (Algona)	HC	1,000
Hammer's Plastic Recycling Corp. (Hardin County)	AQ	600
White Consolidated/Frigidaire Co. (Jefferson)	WW	1,000
D.Frank/D.Steib-Interstate Salvage (Webster Co.)	AQ	600
Linden Water Supply	WS	1,000
Bernard Sadler/Ger-Mar Farms (Allamakee Co.)	SW	500
William H. Viner (Emerson)	UT	600
Partners-Four-Investments, Inc. (Rockwell)	UT	700
Ossian Chemical, Inc. (Davenport)	AQ	1,000
Farmers Cooperative Elevator (Martelle)	HC	1,000
Partners-Four-Investments, Inc. (Marble Rock)	UT	700

The following administrative penalties were paid last month:

NAME/LOCATION	PROGRAM	AMOUNT
Homestead Colony MHP (Ames)	WS	320
Tom Samuelson dba Quality Car Wash (Osceola)	UT	250
Sidney, City of	WS	200
Don Zimmerman d/b/a Panama Oil Co. (Panama)	UT	100
Century Oaks Community Assoc. (Bettendorf)	WS	50
Kinley Corporation (Pottawattamie Co.)	HC	1,000
Des Moines Co. SW Commission (Burlington)	SW	700
*M & D's Chalet (Elgin)	WS	50
Mt. Ayr, City of	WS	400
Rock Creek Park/Clinton CCB (Clinton Co.)	WS	75
Jamaica, City of	WS	150
Bridgewater, City of	WS	200
The River Products Co. (Iowa City)	AQ	500
*Todd D. Behounek and Paul Behounek (Tama Co.)	SW	100
Amoco Oil Company (Mason City)	UT	600
Magnolia Water Supply	WS	315
Northwest Iowa Solid Waste Agency (Sioux Co.)	SW	1,000
White Consolidated Industries (Webster City)	AQ	500
The Calmar Manufacturing Co., Inc. (Calmar)	AQ	250
New Sharon, City of	WS	200
David Axmear (Keokuk County)	WW	1,000
Beaverdale Heights (Burlington)	WW	250
Waste Management and Design, Inc. (Webster City)	WW	1,000
Manson, City of	WS	150
Barrington Lakes Water Commission (Dubuque)	WS	75
*M & W Mobile Home Park (Muscatine) (Paid in Full)	WW	300
Manson Water Supply	WS	250
Motorola, Inc. (Mt. Pleasant)	AQ	1,000
Central Baptist Church (Council Bluffs)	WS	200

TOTAL \$11,185

*On Payment Schedule

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Name, Location and Region Number	New or Updated	Program	Alleged Violation	DNR Action	Status	Date
Al's Corner Oil Co. Carroll (4)		Hazardous Condition	Remedial Action	Order	Referred	12/16/91
Amana Colonies Golf Course Amana (6)		Wastewater	Construction Without Permit	Order	Referred	2/17/92
American Meat Protein Corp. Lytton (3)		Wastewater	Pretreatment	Referred to Attorney General	Referred	10/21/91
Ames Golf & Country Club Ames (5)		Wastewater	Up. Violations Effluent Limits	Referred to Attorney General	Referred	8/19/91
Amoco Oil Company Des Moines (5)		Underground Tank	Remedial Action	Referred to Attorney General	Referred Referred Suit Filed Trial Date	8/21/90 10/15/90 9/27/91 1/25/93
Anderson, Nicklos J. d/b/a Far-Mor Feeder Pigs Henry County (6)		Wastewater	Prohibited Discharge	Order	Referred	2/18/91
Archer Daniels Midland Co. Clinton County (6)		Wastewater	Prohibited Discharge	Referred to Attorney General	Referred Amended Petition Filed	3/18/91 10/28/91
		Air Quality	Emission Stds.		Referred Petition Filed	5/20/91 10/04/91

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Name, Location and Region Number	New or Updated	Program	Alleged Violation	DNR Action	Status	Date
Bell Watcher, Inc. Poweshiek Co. (5)		Wastewater	Operation Violations	Referred to Attorney General	Referred Consent Decree Reactivated	9/20/89 4/23/90 12/23/91
Boley, Fred d/b/a Boley Oil McCausland (6)		Hazardous Condition	Remedial Action	Order	Referred	2/17/92
William L. Bown Marshalltown (5)		Solid Waste	Open Dumping	Order/Penalty	Referred Petition Filed Default Judgment	11/20/89 3/03/90 7/27/90
Bridgestone/Firestone, Inc. Des Moines (5)		Wastewater Hazardous Condition	Prohibited Discharge/ Failure/Notify	Referred to Attorney General	Referred	5/21/90
Brueening Rock Products, Inc. Elma (1)	Updated	Wastewater	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed Consent Decree (\$3,000/Civil and Injunction)	2/18/91 3/16/92 3/18/92
Bryant, Robert D.V.M. d/b/a Cherokee Hog Farms Aurelia (3)		Wastewater	Prohibited Discharge	Referred to Attorney General	Referred	7/15/91
Buffalo Bill Estates, Inc. Camanche (6)		Drinking Water	Mtrg/Rprtng- Nitrate	Order/Penalty	Referred	6/17/91
Buffalo Bill Estates, Inc. Clinton County (6)		Drinking Water	Mtrg/Rprtng- MCL - Bacteria	Order/Penalty	Referred	12/16/91
Build-A-Rama Kossuth County (2)		Water Rights	DNR Defendant	Defense	Suit Filed Answer Filed Motion for Summary Judgment Trial Date	7/27/90 10/29/90 10/10/91 Continued
Burkhart, Carl A. Perry (5)		Air Quality Solid Waste	Open Burning Illegal Disp.	Order Referred	Referred Motion for Judgment Hearing Date	12/16/91 1/31/92 4/03/92
Capitol City Oil Co. d/b/a Dakota Mobile Home Park Iowa City (6)		Wastewater	Monitoring/ Reporting	Order/Penalty	Referred	2/17/92
Carney, Don and Gertrude Ft. Dodge (2)	Updated	Solid Waste	Illegal Disp.	Order/Penalty	Referred Petition Filed	4/15/91 3/25/92
Carnicle, Roger d/b/a The New Shack Tavern Cedar Rapids (1)		Drinking Water	MCL - Bacteria	Referred to Attorney General	Referred Petition Filed Trial Date	9/18/90 12/31/90 Continued
Central Baptist Church Council Bluffs (4)	Updated	Drinking Water	Mtrg/Rprtng- Nitrate	Order/Penalty	Referred Admin. Penalty Paid (\$200)	2/17/92 3/25/92

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Name, Location and Region Number	New or Updated	Program	Alleged Violation	DNR Action	Status	Date
Chalfant, Milo, et.al. Webster City (2)	Updated	Solid Waste	Illegal Disp.	Order/Penalty	Referred Suit Filed Trial Date	9/20/89 8/08/90 4/08/92
Chicago & Northwestern Transportation Co.		Hazardous Condition	Remedial Action	Order	Petition for Judicial Review Answer/Motion to Dismiss Parties Motion Granted Order/Change Venue to Hardin Co. Motion to Consolidate	8/19/91 8/26/91 9/23/91 11/21/91 12/31/91
Blue Chip Enterprises				Order	Petition for Judicial Review Answer/Motion to Dismiss Parties Motion to Consolidate	8/14/91 9/16/91 12/31/91
Hawkeye Land Company Iowa Falls (2)				Order	Petition for Judicial Review Order/Change Venue to Hardin Co. Motion to Consolidate	9/16/91 11/21/91 12/31/91
Clinton Pallet Co. Clinton (6)		Solid Waste	Illegal Disposal	Referred to Attorney General	Suit Filed Default Judgment	11/09/89 4/ /90
Cooper, Kenneth/Hunter Oil Minburn (5)	Updated	Storage Tank	Spill Cleanup	Order	Cooper Referred Hunter Referred Site Assessment DNR Review Remediation Plan Site Work Remedial System Activated	8/17/88 2/01/90 4/20/90 8/22/90 10/14/91 2/06/92
Cota Industries, Inc. Des Moines (5)		Hazardous Condition	Remedial Action	Order	Referred	4/15/91
				Order	Petition for Judicial Review Motion to Dismiss Order Granting Motion to Dismiss Notice of Appeal Appellant Filed Brief State Filed Brief	4/18/91 5/08/91 7/23/91 8/13/91 11/11/91 1/10/92
Country Lane Foods, Division of Yoder, Inc., Kalona (6)	Updated	Wastewater	Prohibited Discharge	Referred to Attorney General	Referred Consent Decree (\$25,000/civil and Injunction)	11/20/90 2/29/92
Davis, Richard & Sonja (5)		Solid Waste	Open Unpermitted Dumping	Referred to Attorney General	Referred Suit Filed Default Judgement Filed Motion to Deny Default Motion Overruled	6/22/88 8/11/88 4/21/89 6/14/89 10/04/89
Jimmy Dean Meat Co., Inc. (5)		Wastewater	Pretreatment	Referred to Attorney General	Referred Petition Filed Trial Date	4/16/90 5/13/91 9/29/92
Osceola, City of (5)		Wastewater	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed Amended Petition Filed Trial Date	4/16/90 11/30/90 5/13/91 9/29/92

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Name, Location and Region Number	New or Updated	Program	Alleged Violation	DNR Action	Status	Date
Denham, Larry Ottumwa (6)		Solid Waste	Illegal Disp.	Referred to Attorney General	Referred Petition Filed Default Judgment	8/21/90 11/30/90 6/10/91
Des Moines, City of (5)		Wastewater	Operation Violations	Referred to Attorney General	Referred	9/18/90
Drewelow, Harvey d/b/a Hanson Tires New Hampton (1)	Updated	Air Quality Solid Waste	Open Burning Illegal Disp.	Referred to Attorney General	Referred Petition Filed Trial Date	6/19/90 3/13/91 Continued
Dunton, Lloyd Iowa County (6)		Solid Waste	Illegal Disp.	Order/Penalty	Referred	12/16/91
Eagle Wrecking Co. Pottawattamie Co. (4)		Solid Waste	Open Dumping	Order/Penalty	Referred Bankruptcy Claim Filed	6/21/89 7/24/89
Ervin, Don Webster County (2)		Solid Waste	Operation Without Permit	Order/Penalty	Referred Motion for Summary Judgment Hearing Held Judgment for \$1,000 Execution & Order to Levy Application to Condemn Funds Partial Payment Received (\$331)	4/16/90 6/02/90 7/02/90 7/13/90 9/28/90 11/27/90 11/30/90
			Permit Violations	Referred to Attorney General	Referred Temporary Injunction	9/16/91 9/18/91
Ervin, Don (Continued)					Contempt Hearing Order of Contempt Motion for Stay Order Granting Stay	12/06/91 12/20/91 12/26/91 12/26/91
First Iowa State Bank Albia (2)	Updated	Solid Waste	Open Dumping	Order/Penalty	Petition for Judicial Review Oral Argument Ruling on Petition for Judicial Review	4/12/91 11/04/91 3/02/92
Fred Carlson Co., Inc. Decorah (2)		Air Quality	Emission Standards	Referred to Attorney General	Referred Petition Filed	2/18/91 8/06/91
Great Dane Fertilizer, Inc. Audubon (4)	Updated	Wastewater	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed Consent Decree (\$4,500/Civil plus \$1,955 for lost fish)	9/18/90 1/02/92 2/24/92
Hancock County and William Waddingham (2)	Updated	Underground Tank	Remedial Action	Referred to Attorney General	Referred Consent Decree (\$3,500/Civil plus Injunction	11/20/90 3/16/92
Herweh, Bill Prairie City (5)		Underground Tank	Closure Investigation	Order	Referred	11/18/91
Hosch, John Jones County (1)		Wastewater	Prohibited Discharge	Order/Penalty	Referred	2/17/92

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Name, Location and Region Number	New or Updated	Program	Alleged Violation	DNR Action	Status	Date
Lakeshore Drive, Inc. et.al. Osceola (5)		Flood Plain	Reconstruction	Order	Referred Petition Filed Judgment vs. Lakeshore	11/20/89 2/07/90 4/09/90
Landfill of Des Moines, Inc. Des Moines (5)		Solid Waste	Compliance Schedule; Other	Order/Penalty	Referred	12/16/91
Larson, Daryl, D.V.M. Audubon (4)		Wastewater	Prohibited Discharge	Referred to Attorney General	Referred Trial Information	11/20/89 3/19/91
Lenox, City of and Papetti's of Iowa, Inc.		Wastewater	Effluent Strnds; Treatment Agreement	Order	Referred	2/18/91
Maasdam, Donald Rolfe (3)		Solid Waste	Operation Without Permit	Order	Referred	1/21/92
Martinez, Vincent d/b/a Martinez Sewer Service Davenport (6)		Hazardous Condition	Remedial Action	Order/Penalty	Referred	2/17/92
McGregor, John W. and Doris v. DNR (4)		Wastewater	DNR Defendant	401 Certification	Petition for Judicial Review Answer Filed	5/30/91 6/25/91
Bob McKiniss Excavating & Grading v. IDNR	Updated	Hazardous Condition	DNR Defendant	Defense	Suit Filed DNR Motion to Dismiss Ruling on Motion to Dismiss and Bifurcation	3/12/91 5/01/91 3/26/92
Midwest Environmental Law Center v. EPC		Air Quality	DNR Defendant	Defense	Suit Filed Answer Filed	12/03/91 12/23/91
Monfort, Inc. Des Moines (5)		Wastewater	Prohibited Discharge	Referred to Attorney General	Referred Trial Info. Filed (Polk Co.) Trial Date	12/11/89 7/19/91 4/13/92
New Virginia Sanitary District (5)		Wastewater	Mtrg/Rprtng	Referred to Attorney General	Referred	9/16/91
Orchard, City of (2)		Drinking Water	Mtrg/Rprtng MCL-Bacteria Operation Violations	Referred to Attorney General	Referred	6/17/91
Pete's Sunoco/ Popejoy Septic West Des Moines (5)		Wastewater	Prohibited Discharge	Referred to Attorney General	Referred	6/19/90
Pregler, Gerald Dubuque County (1)	Updated	Solid Waste	Illegal Disposal	Order/Penalty	Referred Petition Filed Trial Date	10/15/90 5/23/91 5/04/92

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Name, Location and Region Number	New or Updated	Program	Alleged Violation	DNR Action	Status	Date
Rottler Farms, Inc. and Pooley and Rottler Farms, Inc. Butler County (2)		Wastewater	Pretreatment	Order/Penalty	Referred	2/17/92
Schaap, Darlo Sioux Center (3)	Updated	Solid Waste	Illegal Disposal	Order/Penalty	Referred Petition Filed Consent Decree	2/20/90 6/21/90 3/10/92
Schultz, Albert and Iowa Iron Works Ely (1)		Solid Waste	Open Dumping	Referred to Attorney General	Referred Suit Filed	9/20/89 8/08/90
Shelley, Roberto and Sally Guthrie Center (4)		Solid Waste	Illegal Disposal	Order/Penalty	Referred Petition Filed Trial Date	4/15/91 7/18/91 5/19/92
Simmons, Art d/b/a Art's Garage Bussey (5)		Underground Tank	Remedial Action	Referred to Attorney General	Referred	5/20/91
Siouxland Quality Meat Co., Inc. Sioux City (3)		Wastewater	Discharge Limitations	Referred to Attorney General	Referred Petition Filed Consent Decree (\$5,000) Bankruptcy Ch. 7 Filed Claim Filed	2/20/90 7/02/90 10/30/91 12/19/91 1/21/92
Soo Line Railroad Co. Mason City (2)		Wastewater Haz. Condition	Prohibited Discharge Remedial Action	Referred to Attorney General	Referred	7/15/91
Starling, Vern Boone County (5)	Updated	Solid Waste	Illegal Disposal	Order/Penalty	Referred Motion for Summary Judgment Trial Date Ruling on Motion for Summary Judgment	1/21/92 1/31/92 3/02/92 3/03/92
Stokely USA, Inc. Ackley (4)	Updated	Wastewater	Prohibited Discharge	Referred to Attorney General	Referred Consent Decree (\$16,500/Civil plus \$700 for lost fish)	11/18/91 3/03/92
Sun Wise Systems Corp. Sac City (3)		Wastewater	Pretreatment	Referred to Attorney General	Referred Petition Filed	10/15/90 11/27/91
Thomas, Fred R. d/b/a Clair-View Acres, Delhi (1)		Drinking Water	Mtrg/Rprtng	Order/Penalty	Referred	9/16/91
Touchdown Co., et. al., Webster City (2)		Underground Tank	Prohibited Discharge Failure to Rpt Haz. Condition	Referred to Attorney General	Referred Petition Filed Trial Date	6/21/89 2/14/91 5/12/92
Munschel, Vern Ida Grove (3)		Underground Tank	Closure Investigation	Order/Penalty	Referred	2/17/92

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DEPARTMENT OF NATURAL RESOURCES ENVIRONMENTAL PROTECTION COMMISSION CONTESTED CASES APRIL 1, 1992

DATE RECEIVED	NAME OF CASE	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
1-23-86	Oelwein Soil Service	Administrative Order	WW	Landa	Hearing continued.
5-12-87	Iowa City Regency MHP	Administrative Order	WW	Hansen	Hearing held 11-03-87; amended order issued.
8-10-87	Great Rivers Co-op	Administrative Order	HC	Landa	Hearing continued.
1-15-88	First Iowa State Bank	Administrative Order	SW	Kennedy	Order 3/2/92.
2-05-88	Warren County Brenton Bank	Administrative Order	UT	Wornson	One of two sites deemed closed.
3-01-88	Cloyd Foland	Administrative Order	FP	Clark	District Court dismisses other issues; Foland appeals to Supreme Court.
10-20-88	Worth Co. Co-Op Oil Northwood Cooperative Elevator Sunray Refining and Marketing Co.	Administrative Order	HC	Landa	Compliance initiated. Assessment report submitted.
1-25-89	Amoco Oil Co. - Des Moines	Administrative Order	UT	Wornson	Settlement proposed. Clean-up progressing.
2-10-89	Northwestern States Portland Cement Company	Site Registry	HW	Landa	Settlement proposed.
2-10-89	Baier/Mansheim/Moyer	Site Registry	HW	Landa	Property transferred.
2-13-89	King's Terrace Mobile Home Court	Administrative Order	WW	Murphy	Hearing set for 5/12/92.
5-01-89	Amoco Oil Co. - West Des Moines	Administrative Order	UT	Landa	Compliance initiated.
6-08-89	Shaver Road Investments	Site Registry	HW	Landa	Hearing continued. Discovery initiated.
6-08-89	Hawkeye Rubber Mfg. Co.	Site Registry	HW	Landa	Hearing continued. Discovery initiated.
6-08-89	Lehigh Portland Cement Co.	Site Registry	HW	Landa	Hearing continued. Discovery initiated.
6-12-89	Amana	Site Registry	HC	Landa	Negotiating before filing.
6-22-89	Chicago & Northwestern Transportation Co. Hawkeye Land Co. Blue Chip Enterprises	Administrative Order	HC	Landa	Petition for judicial review of agency action.
10-24-89	Farmers Cooperative Elevator Association of Sheldon	Site Registry	HC	Landa	Negotiation proceeding.
10-24-89	Consumers Cooperative Assoc.	Site Registry	HC	Landa	Negotiation proceeding.
11-03-89	Bridgestone/Firestone, Inc.	Site Registry	HC	Landa	Hearing continued pending negotiations.
11-17-89	Aten Services, Inc.	Administrative Order	SW/UT	Landa	Compliance completed/settlement close.
12-11-89	Leo Schachtner	Permit Issuance	FP	Clark	Hearing set for 4/22/92.

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DATE RECEIVED	NAME OF CASE	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
4-23-90	Sioux City, City of	Administrative Order	WW	Hansen	Informal meeting held on 5/18/90.
5-08-90	Texaco Inc./Chemplex Co. Site	Site Registry	HW	Landa	Settlement proposed.
5-14-90	Van Dusen Airport Services	Administrative Order	HC	Landa	Compliance initiated.
5-14-90	Alter Trading Corp. (Council Bluffs)	Administrative Order	SW	Kennedy	Negotiating before filing.
5-15-90	Des Moines, City of	Administrative Order	HC	Landa	Hearing continued. Settlement proposed.
6-20-90	Des Moines, City of	NPDES Permit Cond.	WW	Hansen	Department response sent 3/12/92.
6-26-90	Maple Crest Motel and Mobile Home Park	Administrative Order	WS	Hansen	Negotiating settlement.
7-02-90	Keokuk Savings Bank and Trust Keokuk Coal Gas Site	Site Registry	HW	Landa	Hearing continued.
7-11-90	Chicago & Northwestern Co.; Steve L. Carroll; Susan E. Carroll; and Tracy A. Carroll	Administrative Order	NR	Kennedy	New orders issued 12/28/90 rescinding prior orders.
11-20-90		Administrative Order	SW	Kennedy	Settlement pending.
7-23-90	IBP, inc. Perry	Administrative Order NPDES Permit	WW	Hansen	Response from IBP 10/14/91.
7-26-90	Plymouth County SW Agency	Administrative Order	SW	Kennedy	Settlement pending.
7-30-90	Key City Coal Gas Site; Murphy Trust & Howard Pixler	Site Registry	HW	Landa	Decision appealed (Pixler). Motion to intervene denied 2/17/91 (Murphy Trust)
8-01-90	J.I. Case Company	Site Registry	HW	Landa	Hearing set for 4/30/92.
9-06-90	Wilbur Numelin d/b/a Lakeview Enterprises; Carl Hankenson	Administrative Order	UT	Wornson	Proposed decision 9/9/91. Appealed.
9-10-90	IBP, inc. Columbus Junction	Administrative Order NPDES Permit	WW	Hansen	Petition for judicial review.
9-12-90	Michael & Joyce Haws; George H. Gronau	Administrative Order	UT	Wornson	Stipulations prepared.
9-20-90	Duane Schwarting	Variance Denial	SW	Kennedy	Hearing continued.
10-02-90	James Rhoads; Manatt's, Inc.	Administrative Order	HC	Landa	Settlement proposal 2/27/92. Hearing set for 4/24/92.
10-15-90	Westside General Store Corp.	Administrative Order	UT	Wornson	Negotiating before filing.
10-18-90	Harlan Pruess	Claim	HC	Landa	Hearing continued indefinitely.

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10-23-90	Chariton Municipal Water Department	Water Use Permit	WS	Clark	Settlement close.
11-15-90	Springwood Enterprises, Inc.	Water Use Permit	WR	Clark	Hearing continued.
11-29-90	Natural Gas Pipeline of America	NPDES Permit Denial	WW	Hansen	Hearing continued to 5/07/92.
12-04-90	United States Gypsum Company	Administrative Order	SW	Kennedy	Negotiating before filing.
12-21-90	Des Moines, City of	Administrative Order	UT	Wornson	Settlement proposed.
12-27-90	McAtee Tire Service, Inc.	Administrative Order	SW	Kennedy	Hearing continued.
1-07-91	Joe E. Eggers, Jr.; Joe and Mary Eggers	Administrative Order	SW	Kennedy	Negotiating before filing.
1-09-91	Iowa Southern Utilities	Administrative Order	HC	Landa	Hearing continued.
1-28-91	McDowell Dam #1 & #2	Administrative Order	FP	Clark	Negotiating before filing.
2-22-91	Leon & Rebecca Pierce Camp Riverside	Administrative Order	FP	Clark	Hearing continued.
3-08-91	ADM - Cedar Rapids	Conditional Permit	AQ	Preziosi	Hearings begun.
3-21-91	Molkenthin Swine Operation	Administrative Order	WW	Murphy	Negotiating before filing.
3-22-91	Mitchell Bros. Boars and Gilts	Administrative Order	WW	Murphy	Negotiating before filing.
5-09-91	Oskaloosa Food Products Corp.	Administrative Order	WW	Hansen	Negotiating before filing.
5-16-91	Oskaloosa, City of	Administrative Order	WW	Hansen	Negotiating before ffling.
5-20-91	Great Rivers Coop--Lockridge	Site Registry	HC	Landa	Hearing set for 3/27/92.
5-31-91	Kenneth Bode	Administrative Order	SW	Kennedy	Decision 2/24/92.
5-31-91	Cargill, Inc.	Certificate to Construct	AQ	Preziosi	Written direct testimony filed.
7-05-91	Mason City Iron & Metal Co.	Administrative Order	AQ	Preziosi	Sent to DIA.
7-15-91	Des Moines Independent School District - North High School	Site Registry	HC	Landa	Hearing set for 6/12/92.
7-22-91	Rupp Tire	Administrative Order	UT	Wornson	Settlement proposed.
7-24-91	Alter Trading Corp. (Davenport)	Administrative Order	SW	Kennedy	Negotiating before filing.
7-26-91	American Recycling, Inc.	Administrative Order	AQ	Preziosi	Negotiating before filing.

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7-27-91	Chicago North Western; Dennis Bell; Phillips Petroleum; Amoco Oil Co.	Administrative Order	HC	Landa	Hearing continued. Compliance initiated.
8-05-91	Rathburn Area Solid Waste Comm.	Permit Conditions	SW	Kennedy	Hearing set for 5/14/92.
8-14-91	Williamsburg, City of	Administrative Order	WW	Hansen	Sent to DIA. Hearing set for 4/28/92.
8-23-91	Wally's Paint Shop	Administrative Order	AQ	Preziosi	Hearing continued to 7/7/92.
8-29-91	Iowa Southern Utilities	Certificate to Construct	AQ	Preziosi	Written testimony filed.
9-04-91	Duane Arnold Energy Center	Permit Condition	WW	Hansen	Information received 3/16/92.
9-13-91	GBE, Limited	Administrative Order	AQ/SW	Preziosi	Settled.
9-16-91	Mononoe Co. SLF Agency	Administrative Order	SW	Kennedy	Negotiating before filing.
9-17-91	Westside Park for Mobile Homes	Administrative Order	WW	Hansen	Settlement proposed.
9-25-91	Archer Daniels Midland	Administrative Order	SW	Kennedy	Negotiating before filing.
9-27-91	Battle Creek, City of	Administrative Order	WS	Hansen	Negotiating before filing.
10-02-91	IBP, Inc. - Storm Lake	Permit Conditions	WW	Hansen	Negotiating before filing.
10-23-91	Parker Hannifin Corp.	Permit Conditions	WW	Hansen	Negotiating before filing.
10-30-91	West Liberty, City of	Permit Conditions	WW	Hansen	Negotiating before filing.
11-07-91	Casey's General Store (Redfield)	Administrative Order	UT	Wornson	Awaiting attorney response.
11-14-91	Ossian, Inc.	Permit Denial	AQ	Preziosi	Settlement close.
11-15-91	Highland Golf Club, Inc.	Administrative Order	UT	Wornson	Awaiting attorney's response.
12-03-91	State Central Bank	Administrative Order	UT	Wornson	Awaiting attorney response.
12-05-91	Tower Club	Administrative Order	WS	Hansen	Negotiating before filing.
12-09-91	Robert Dean	Administrative Order	SW	Kennedy	Negotiating before filing.
12-09-91	Koehring Cranes and Excavators	Administrative Order	AQ	Preziosi	Negotiating before filing.
12-24-91	Jamaica	Administrative Order	WS	Clark	Settled.
12-26-91	John Deere Waterloo Works	Permit Conditions	WW	Hansen	Negotiating before filing.
12-27-91	Story City Municipal Electric	Permit Denial	AQ	Preziosi	Settled.

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12-31-91	Linden Water Supply	Administrative Order	WS	Hansen	Negotiating before filing.
1-03-92	New Virginia, City of	Administrative Order	WS	Hansen	Hearing set for 5/1/92.
1-06-92	Fayette Co. SLF Commission and Nishna Sanitary Services	Administrative Order	SW	Kennedy	Consent order/penalty paid.
1-07-92	Wiota, City of	Administrative Order	WS	Hansen	Preliminary engineering report submitted by City.
1-10-92	Calhoun Co. Sanitary Landfill	Administrative Order	SW	Kennedy	Settlement pending.
1-13-92	Ames, City of	Administrative Order	SW	Kennedy	Negotiating before filing.
1-13-92	Village Creek Bible Camp/Retreat	Administrative Order	WS	Hansen	Settlement proposed.
1-17-92	Hickory Hollow Water Co.	Administrative Order	WS	Hansen	Negotiating before filing.
1-21-92	Dell Oil, Ltd.	Administrative Order	HC	Wornson	Hearing set for 4/7/92/continuance requested.
1-24-92	West Liberty Oil Co.	Administrative Order	UT	Wornson	Informal hearing requested/letter sent.
1-27-92	Heartland Lysine, Inc.	Tax Certification Denial	WW	Murphy	Negotiating before filing.
1-28-92	Dietrick Mobile Home Park	Administrative Order	WW	Murphy	Negotiating before filing.
1-30-92	Center Oil Co., Inc.	Administrative Order	HC	Murphy	Negotiating before filing.
2-14-92	Ossian Chemical, Inc.	Administrative Order	AQ	Preziosi	Hearing set for 5/26/92.
2-20-92	Farmland Foods, Inc.	Administrative Order	WW	Hansen	Hearing set for 5/15/92.
2-24-92	Fieldstone Cabinetry, Inc.	Administrative Order	AQ	Preziosi	Negotiating before filing.
2-24-92	Eagle Window & Door Co.	Administrative Order	AQ	Preziosi	Negotiating before filing.
2-25-92	Nordstrom Oil Co.	Administrative Order	HC	Murphy	Negotiating before filing.
2-28-92	William H. Viner	Administrative Order	UT	Wornson	New case-penalty only.
3-03-92	Mark and Craig Erpelding	Administrative Order	HC	Murphy	Negotiating before filing.
3-09-92	Iowa Power, Inc.- Council Bluffs	Permit Condition	WW	Hansen	New case.
3-11-92	Bernard Sadler and Ger-Mar Farms, Inc.	Administrative Order	SW	Kennedy	New case.
3-12-92	Farmers Cooperative Elevator - Martelle	Administrative Order	HC	Murphy	New case.
3-16-92	Hammer's Plastic Recycling	Administrative Order	AQ	Kennedy	New case.
3-16-92	HON Company	Permit Denial	AQ	Preziosi	Settlement close.
3-23-92	Partners-Four Investments-Rockwell	Administrative Order	UT	Wornson	New case.
3-23-92	Partners-Four Investments-Marble Rock	Administrative Order	UT	Wornson	New case.
3-30-92	White Consolidated Industries, Inc.	Administrative order	WW	Hansen	New case-penalty only.
3-31-92	Farmers Co-operative Elevator - Truro	Administrative Order	WW	Murphy	New case.

Discussion followed regarding various cases on the Enforcement Report and the Attorney General Referrals Report.

INFORMATIONAL ONLY

NOTICE OF INTENDED ACTION--CHAPTER 61, WATER QUALITY STANDARDS - STREAM USE DESIGNATION - PHASE IV

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Commission is requested to approve the Notice of Intended Action for additions and modifications to the stream use designations in Chapter 61, Water Quality Standards. This action is a continuation of the stream use designation activities and field assessments of Iowa streams. The proposed additions and modifications are:

Insert new stream use designations for waterbodies which have recently undergone field assessment and applicable protected stream flows.

Correct typographical errors noted on several of the stream use designations from Rounds I, II, and III.

Modify the use designation for one stream designated in Chapter 61 as a result of recent field assessment.

Five public hearings are scheduled in the areas of the state where the proposed use designations occur. The hearings will be in Centerville, Iowa City, Orange City, Red Oak, and Des Moines.

(A copy of the Notice of Intended Action is on file in the department's Records Center)

Mr. Stokes gave a brief explanation of the rule.

<i>Motion was made by Margaret Prah1 to approve Notice of Intended Action--Chapter 61, Water Quality Standards: Stream Use Designation - Phase IV, as presented. Seconded by Charlotte Mohr. Motion carried unanimously.</i>
--

NOTICE OF INTENDED ACTION APPROVED

PROPOSED RULE--CHAPTERS 40, 41, 42 AND 43, DEFINITIONS, WATER SUPPLIES, LABORATORY CERTIFICATION AND DESIGN AND OPERATION

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Department is proposing changes to the Water Supply rules to incorporate new U.S. EPA regulations for inorganic chemicals, synthetic organic chemicals and lead and copper, and to implement Sections 455b.113 & 455b.114 concerning environmental laboratory certification.

The proposed rules amend current rules for inorganic and synthetic organic chemicals including revising or setting new standards for maximum contaminant levels, monitoring requirements, and analytical procedures;

Set or revise MCLs for 8 inorganic and 30 synthetic organic chemical contaminants;

Propose lead and copper rules consisting of treatment technique requirement that includes tap water monitoring, corrosion control treatment, source water treatment, lead service line replacement, and public education; and

Revise the drinking water laboratory certification requirements to implement Code Sections 445b.113 and 455b.114 by establishing a certification procedure and fees.

The Commission will be provided copies of the proposed rules at the meeting.

(A copy of the rule is on file in the department's Records Center)

Mr. Stokes distributed copies of the proposed rule with changes highlighted to show where it matches with federal language. This rule will keep the state equivalent with the federal program. He stated that this will be brought to the Commission as a Notice of Intended Action in June. Mr. Stokes asked the commissioners to call him if they have any questions or comments on the rule.

INFORMATIONAL ONLY

REFERRALS TO THE ATTORNEY GENERAL

Mike Murphy, Bureau Chief, Legal Services Division, presented the following item.

The Director requests the referral of the following to the Attorney General for appropriate legal action. Litigation reports have been provided to the Commissioners and are confidential pursuant to Iowa Code section 22.7(4). The parties have been informed of this action and may appear to discuss this matter. If the Commission needs to discuss strategy with counsel on any matter where the disclosure of matters discussed would be likely to prejudice or disadvantage its position in litigation, the Commission may go into closed session pursuant to Iowa Code section 21.5(1)(c).

- a. Yentes, Clifford (Pottawattamie County) - solid waste
- b. Nollen, Harold (Harlan) - underground tanks
- c. Iowa City - solid waste
- d. Dilts Trucking, Inc. (Crescent) - underground tanks
- e. R.D. Loftin, DVM (Osage) - underground tanks

Clifford Yentes

Mr. Murphy stated that this case involves solid waste and disposal violations on property in Pottawattamie county. He noted that there have been two prior Administrative Orders issued, one in 1978 and one in 1985. In 1990, following complaints from county officials, staff investigated the site and found waste tires, metal goods, wood waste, asphalt, and other waste materials. The department has been attempting to get Mr. Yentes to do clean up and properly dispose of these materials. He related that the only clean up staff has been able to observe is cover of some of the waste, which is not legal as an unpermitted disposal site. Mr. Murphy circulated photos of the area involved showing many different types of waste.

Mr. Yentes stated that he owned this land for twenty years and prior to that it was owned by a tree removal company. He related that the previous owner disposed of trees on the land so he continued to do so. Mr. Yentes stated that an employee from DNR's Atlantic Office visited and said he received a complaint about dumping contaminated soil on the property. He added that he did not dump contaminated soil but he has put trees in there.

Charlotte Mohr asked Mr. Yentes where the trees came from.

Mr. Yentes replied that a retirement home in Council Bluffs is expanding and doing some clearing and he subcontracted the job from the contractor.

Margaret Prahel asked Mr. Yentes if he also took dirt from the retirement home site.

Mr. Yentes responded that he removed dirt when they stripped the area and he asked the contractor where to take the tree stumps and was told to bury them on the site. Mr. Yentes added that they cannot bury anything on a site where they are going to build.

Nancy Lee Siebenmann commented that the photos show a lot of metal waste.

Mr. Yentes stated that he disposed of fuel tanks and metal waste before a person had to be licensed to remove tanks.

Discussion followed regarding construction demolition waste regulations.

Chairperson Hartsuck stated that a decision on this case will be made this afternoon when the remainder of the Referrals to the Attorney General are taken up.

REVIEW OF UNDERGROUND STORAGE TANK SITE ASSESSMENT ORDERS

Al Stokes, Division Administrator, Environmental Protection Division, presented the following item.

1991 Iowa Acts, Chapter 252 enacted significant changes to the underground storage tank program relative to response to releases of petroleum from USTs. Most significantly the Act required the Commission to adopt rules establishing criteria for classifying sites as high risk, low risk, or no risk, and establishing corrective action response requirements. The Commission adopted these rules in February, 1992. Iowa Code edition 455B.474(1)f(10), as amended by the Act, authorizes the director to issue orders requiring owners or operators to take corrective actions consistent with the prioritization rules, and provides further that "Any order taken by the director pursuant to this subparagraph shall be reviewed at the next meeting of the environmental protection commission."

Each month the staff provides the commission with several monthly reports on specified activities, including a report of enforcement actions taken the previous month. Included in that report would be reference to any order issued under the above authority, as well as orders issued in all other program areas. Each listing specifies the program and type of violation, so that the underground tank, site cleanup orders would be clearly designated. The director requests that this existing procedure be maintained as the commission's method of reviewing underground storage tank, site cleanup orders.

Mr. Stokes explained that the monthly reporting routine on enforcement actions could reference any order issued under this authority. He related that the department is asking the Commission to agree that that will suffice to meet the order of the statute rather than providing an individual lengthy report.

Margaret Prahll asked if legal staff feel this procedure complies with the statute requirements without the Commission taking any action.

Mr. Murphy stated that staff felt this type of reporting would suffice, it is just a question of whether the Commission would like more extensive review.

Nancylee Siebenmann commented that it would be nice if this information could be reported in numerical categorization as to high risk, low risk, or no risk.

Mr. Stokes stated that a column can be added to show this information.

Motion was made by Margaret Prah! to approve the procedure recommended by the staff. Seconded by Nancylee Siebenmann. Motion carried unanimously.

APPROVED RECOMMENDED PROCEDURE

PROPOSED RULE--CHAPTER 1, CONFLICT OF INTEREST

Prior to 1990, Iowa Code section 68B.4 generally prohibited any employee or official of a regulatory agency from selling goods or services to persons or organizations regulated by that agency. The impact of this law was unclear, and in 1990 amendments were made to allow such sales under certain conditions. A copy of 68B.4 is attached. One of the conditions is that the consent of the agency be obtained, and the law requires the agency to adopt rules specifying the method by which officials, i.e. Commissioners, may obtain agency consent. The Iowa Department of Personnel is to adopt rules on this subject for employees of agencies. Draft rules were presented to both Commissions last summer and revisions have been made based on comments received. The Commission will be requested to approve a Notice of Intended Action incorporating the attached draft rules at next month's meeting.

(A copy of the draft rules are on file in the department's Records Center)

Director Wilson explained that the legislature requested that conflict of interest rules/regulations/guidelines be provided for state employees as well as state boards and commissions. The Department of Personnel is handling this matter for state employees but it falls upon the boards and commissions to prepare and adopt their own rules governing conflict of interest. Mr. Wilson related that the Natural Resource Commission recently adopted the same version that is attached to the item brief.

Mike Murphy, Legal Services Bureau, pointed out that the Commission needs to adopt rules specifying the method by which officials can obtain consent.

Margaret Prah! stated that even though she does not have more than 10% of her partnership, her partners represent farmers, meatpackers, etc., and an exemption is not

offered for a partnership. She noted that she would have to get consent everytime her partners represent someone, and under these conditions she would have to resign from Commission. She suggested that the 10% number be changed.

Richard Hartsuck stated that two goals are involved here, one is to comply with the law and the other is to develop an ethics code. He suggested that the rules be changed to state "conduct substantial business with" rather than talking about sales only. He also noted that these rules emphasize ownership and most major corporations are run by people who do not own 10%, and an addition should be made to state "or holds a decision making position."

A lengthy discussion followed in regards to the Commission identifying the nature of their business on the Disclosure of Sales form; whether or not it is constitutional to regulate spouses and minor children; disclosure as a solution to the most of the problems; and what would happen if the Commission did nothing.

Director Wilson stated that this is a proposed rule and he would suggest that the Commission study it, make their comments, and then have staff prepare rules. He noted that the Commission has been abstaining from vote when they have had a conflict but this officially puts it down in black and white.

Further discussion followed regarding the definition of "Official."

Margaret Prah1 commented that she does not object to the concept but to put it in a perspective of what needs to be disclosed is a question that needs to be addressed.

The consensus of the Commission was to have each Commissioner study the rules and then contact Mike Murphy with their concerns/thoughts. Staff will then bring back a draft with the requested changes.

INFORMATIONAL ONLY

REFERRALS TO THE ATTORNEY GENERAL (CONTINUED)

Clifford Yentes

Mr. Murphy reviewed discussion held earlier today on this case. He noted that it is a case of a contractor who receives economic benefit from disposal on his own land.

<i>Motion was made by Margaret Prah1 for referral to the Attorney General's Office. Seconded by Rozanne King.</i>

Discussion followed regarding tire disposal along the roadsides.

Motion carried unanimously.

REFERRED

Harold Nollen

Mr. Murphy stated that this case deals with noncompliance of an Administrative Order requiring completion of a site assessment for remediation of a leaking underground storage tank. He noted the case was delayed for some time due to litigation over ownership of the property.

Discussion followed regarding UST cleanup costs in general, the UST Board fund, Williams and Company, and the GAB fund.

Motion was made by Margaret Prahl for referral to the Attorney General's Office. Seconded by William Ehm. Motion carried unanimously.

REFERRED

Iowa City

Mr. Murphy briefed the Commission on the history of this case and distributed copies of a letter of resistance from the City of Iowa City.

Motion was made by Margaret Prahl for referral to the Attorney General's Office. Seconded by Rozanne King.

Nancylee Siebenmann commented that Iowa City stated in their letter there was a lack of notice of violations, and she inquired whether or not that was correct.

Mr. Murphy stated that a letter was sent to Iowa City on April 6, notifying them of referral to come before the Commission. He noted that there have been six inspections and each time those inspection reports would have been sent to them.

Vote on Commissioner Prahl's motion carried unanimously.

REFERRED

Dilt's Trucking, Inc.

Mr. Murphy briefed the Commission on the history of this case.

Motion was made by William Ehm for referral to the Attorney General's Office. Seconded by Nancylee Siebenmann.

Discussion followed regarding whether or not this case was previously tabled.

Mr. Murphy stated that, in January, it was tabled for a finite period of time, therefore this would be the same as a new referral.

Vote on Commissioner Ehm's motion carried unanimously.

REFERRED

R. D. Lofton, DVM

Mr. Murphy briefed the Commission on the history of this case.

Motion was made by William Ehm for referral to the Attorney General's Office. Seconded by Nancylee Siebenmann. Motion carried unanimously.

REFERRED

GENERAL DISCUSSION

Discussion was held on the possibility of having day-and-a-half meetings on a bi-monthly basis rather than a half-day meeting each month.

Director Wilson indicated that he will prepare a cost analysis of the meetings and bring it before the Commission next month.

Discussion followed regarding whether or not bi-monthly meetings would serve the public properly; the benefits of bringing in a speaker periodically; the possibility of having a teleconference meeting in place of regular meeting; and staff and Commissioners time involved with relatively short meetings (7 hours of driving for a 4 hour meeting).

ADDRESS ITEMS FOR NEXT MEETING

Update on Clean Air Act

Cost analysis on meetings

LEGISLATIVE UPDATE

Director Wilson presented the status on bills of interest to the Commission as follows:

Create a Financial Assurance Program for Owner/Operators at Tire Collection Sites - passed the House

Create an Environmental Trust Fund - probably will not move this year

Increase Administrative Penalty to \$10,000 - passed the House and the Senate

Air Quality Corrective Amendment - passed the House

UST Account to increase the department's share to 40% - passed House and Senate and signed by the Governor

Water Supply and Waste Water Viability (amended) - passed House and Senate and signed by the Governor

Waste Reduction Recycling Incentives for Waste Batteries and Oil - passed the House and Senate

INFORMATIONAL ONLY

NEXT MEETING DATES

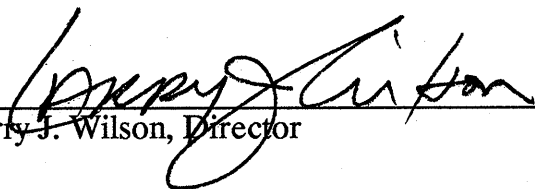
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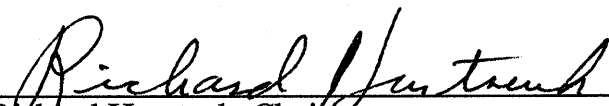
June 15, 1992

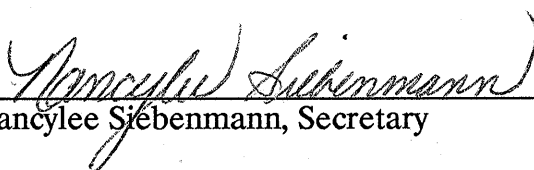
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ADJOURNMENT

With no further business to come before the Environmental Protection Commission, Chairperson Hartsuck adjourned the meeting at 2:45 p.m., Monday, April 20, 1992.


Larry J. Wilson, Director


Richard Hartsuck, Chairperson


Nancy Lee Siebenmann, Secretary

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